



Council Debates

Official Report

West Bengal Legislative Council

First Session (June-August), 1952

(From 18th June to 7th August, 1952)

The 18th, 19th, 20th, 23rd, 25th, 26th, 28th June and 1st, 2nd, 3rd, 4th, 7th, 25th and 26th July and 6th and 7th August, 1952.

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Superintendent, Government Printing,
West Bengal Government Press, Alipore, West Bengal.
1953

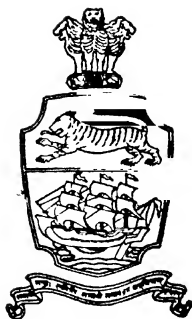
Price—Indian, Rs. 2-8; English, 4s. 6d.

3 B L C

(1)

Vol. I

328 BLC
28 (i)



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WEST BENGAL LEGISLATIVE COUNCIL
Acc No 8448
Date 4.12.2000
Call No 328 BLC/28 (i)
Price Rs. 2.8

Superintendent, Government Printing
West Bengal Government Press, Alipore, West Bengal
1952

GOVERNMENT OF WEST BENGAL

GOVERNOR.

DR. HARENDRA COOMAR MOOKERJEE.

MEMBERS OF THE COUNCIL OF MINISTERS.

- Dr. BIDHAN CHANDRA ROY, Chief Minister and Minister-in-charge of the Home, Development, Medical and Public Health, Finance and Commerce and Industries Departments.
- Sj. JADABENDRA NATH PANJA, Minister-in-charge of the Cottage and Small Scale Industries Department.
- Sj. HEM CHANDRA NASKAR, Minister-in-charge of the Forests and Fisheries Department.
- Sj. AJOY KUMAR MUKERJEE, Minister-in-charge of the Department of Irrigation and Waterways.
- Sj. SHYAMA PRASAD BARMAN, Minister-in-charge of the Excise Department.
- Sj. KHAGENDRA NATH DAS GUPTA, Minister-in-charge of the Works and Buildings Department.
- Sj. RADHAGOBINDA ROY, Minister-in-charge of the Department of Tribal Welfare.
- (a) Srijukta RENUKA RAY, Minister-in-charge of the Refugee Relief and Rehabilitation Department.
- *Sj. PRAFULLA CHANDRA SEN, Minister-in-charge of the Department of Food, Relief and Supplies.
- Dr. RAFTUDDIN AHMED, Minister-in-charge of the Agriculture and Co-operation Department.
- Sj. PANNALAL BOSE, Minister-in-charge of the Departments of Education and Land and Land Revenue.
- *Sj. KALI PADA MOOKERJEE, Minister-in-charge of the Department of Labour.
- Sj. SATYENDRA KUMAR BASU, Minister-in-charge of the Judicial and Legislative Departments.
- Sj. ISWAR DAS JALAN, Minister-in-charge of the Local Self-Government Department.

DEPUTY MINISTERS.

- Sj. SATISH CHANDRA RAY SINGHA, Deputy Minister for the Transport Branch of the Home Department.
- Sj. SATYENDRA CHANDRA GHOSH MAULIK, Deputy Minister for the Defence Branch of the Home Department.
- Dr. JIBAN RATAN DILAR, Deputy Minister for the Jails Branch of the Home Department.
- Sj. GOPIKA BILAS SEN GUPTA, Deputy Minister for the Publicity and Public Relations Branch of the Home Department.
- Sj. TARUN KANTI GHOSH, Deputy Minister for the Township Branch of the Development Department and for the Relief Branch of the Food, Relief and Supplies Department.

*Member of the West Bengal Legislative Council.

(a) Appointed Minister.

- Dr. AMULYADHAN MUKHERJEE**, Deputy Minister for the Medical and Public Health Department.
- Sj. SOURINDRA MOHAN MISRA**, Deputy Minister for the Commerce and Industries Department.
- Sj. TENZING WANGDI**, Deputy Minister for the Tribal Welfare Department.
- Sj. BIJESH CHANDRA SEN**, Deputy Minister for the Rehabilitation Branch of the Refugee Relief and Rehabilitation Department.
- Sj. SMARAJIT BANDOPADHYAY**, Deputy Minister for the Food Branch of the Food, Relief and Supplies Department.
- Sj. RAJANI KANTA PRAMANIK**, Deputy Minister for the Supplies Branch of the Food, Relief and Supplies Department.
- Janab ABDUS SHOKUR**, Deputy Minister for the Agriculture Branch of the Department of Agriculture and Co-operation.
- *Sj. CHITTARANJAN ROY**, Deputy Minister for the Co-operation Branch of the Department of Agriculture and Co-operation.
- Srijukta PURABI MUKHERJEE**, Deputy Minister for the Women's Education Branch of the Education Department and for the Relief Branch of the Refugee Relief and Rehabilitation Department.
- Sj. SHIVA KUMAR RAI**, Deputy Minister for the Labour Department.

***Member of the West Bengal Legislative Council.**

WEST BENGAL LEGISLATIVE COUNCIL

OFFICERS OF THE COUNCIL.

CHAIRMAN.

Dr. SUNITI KUMAR CHATTERJI.

DEPUTY CHAIRMAN.

Dr. PRATAP CHANDRA GUHA RAY.

SECRETARY.

Sj. AJITA RANJAN MUKHERJEA, M.Sc., B.L.

SPECIAL OFFICER.

Sj. CHARU CHANDRA CHOWDHURI,
B.L., ADVOCATE.

ASSISTANT SECRETARY.

JANAB RAFIQUUR RAHMAN, M.A., B.L.

REGISTRAR.

Sj. AMYAKANTA NIYOGI, B.Sc.

LEGAL ASSISTANT.

Sj. BIMALENDU CHAKRAVARTY,
B.Com., B.L.

EDITOR OF DEBATES.

Sj. KHAGENDRA NATH MUKHERJI, B.A., LL.B.

ALPHABETICAL LIST OF MEMBERS.

A

- (1) Abdul Halim, Janab. [Elected by M.L.As.]
- (2) Abdur Rashid, Janab Mirza. (Mahamed Rasid.) [Elected by M.L.As.]

B

- (3) Bagchi, Sj. Narendranath. [Elected by M.L.As.]
- (4) Bandopadhyaya, Sj. Tarakdas. [Nadia-Murshidabad (Local Authorities).]
- (5) Banerjee, Sj. Bankim Chandra. [Elected by M.L.As.]
- (6) Banerjee, Sj. Sankar Das. [Nominated.]
- (7) Banerjee, Sj. Sunil Kumar. [Hooghly-Howrah (Local Authorities).]
- (8) Banerjee, Sj. Tara Sankar. [Nominated.]
- (9) Basu, Sj. Gurugobinda. [Nominated.]
- (10) Bhattacharjee, Sj. Durga Kinkar. [Presidency Division North (Teachers).]
- (11) Bhattacharji, Sj. Bijan Bihari. [Burdwan Division (Teachers).]
- (12) Bhattacharyya, Sj. Nirmal Chandra. [Calcutta (Graduates).]
- (13) Bose, Sj. Subodh Kumar. [Elected by M.L.As.]

Note.—Sj. stands for Srijut, and Sjkta. stands for Srijukta.

C

- (14) Chakrabarty, Dr. Monindra Mohan. [Elected by M.L.As.]
- (15) Chakravorty, Sj. Hridoy Bhusan. [Cal.-24-Parganas (Local Authorities).]
- (16) Chatterjea, Sj. Devaprasad. [Cal.-24-Parganas (Local Authorities).]
- (17) Chatterji, Dr. Suniti Kumar. [West Bengal South (Graduates).]
- (18) Chattopadhyay, Sj. K. P. [Elected by M.L.As.]
- (19) Choudhuri, Sj. Annada Prosad. [Burdwan Division North (Local Authorities).]

D

- (20) Das, Sj. Hare Krishna. [Elected by M.L.As.]
- (21) Das, Sjkta. Santi. [Nominated.]
- (22) Deb, Sj. Narasingha Malla Ugal Sanda. [Nominated.]
- (23) Dutt, Sjkta. Labanya Prova. [Nominated.]

G

- (24) Ghosh, Sj. Kamini Kumar. [Calcutta (Teachers).]
- (25) Guha, Sj. Prafulla Kumar. [Cal.-24-Parganas (Local Authorities).]
- †(26) Guha Ray, Dr. Protap Chandra. [Elected by M.L.As.]

K

- (27) Kumar, Sj. Siba Prasad. [Elected by M.L.As.]

M

- (28) Mahanty, Sj. Charu Chandra. [Burdwan Division North (Local Authorities).]
- (29) Majumdar, Sj. Sudhirendra Nath. [Cal.-24-Parganas (Local Authorities).]
- (30) Misra, Sj. Sachindra Nath. [West Bengal North (Local Authorities).]
- (31) Mookerjee, Sj. Kamala Charan. [Elected by M.L.As.]
- (32) Mookerjee, Sj. Kali Pada. [Cal.-24-Parganas (Local Authorities).]
- (33) Muhammad Jan, Janab Shaikh. [Nominated.]
- (34) Mukherjee, Sj. Debendranath. [Elected by M.L.As.]
- (35) Mukherjee, Sj. Kamada Kinkar. [Elected by M.L.As.]
- (36) Musharraf Hossain, Janab. [Nominated.]

N

- (37) Nahar, Sj. Bijoy Singh. [Elected by M.L.As.]

P

- (38) Pradhan, Sj. Lakhan. [Elected by M.L.As.]
- (39) Prosad, Sj. R. S. [Darjeeling (Local Authorities).]

*Chairman.

†Deputy Chairman.

R

- (40) Rai Choudhuri, Sj. Mohitosh. [Presidency Division South (Teachers).]
(41) Roy, Sj. Chittaranjan. [West Bengal West (Graduates).]
(42) Roy, Sj. Surendra Kumar. [Elected by M.L.As.]

S

- (43) Sanyal, Sj. Charu Chandra. [West Bengal North (Graduates).]
(44) Saraogi Sj. Pannalal. [Nominated.]
(45) Sarkar, Sj. Pranabeswar. [Burdwan Division North (Local Authorities).]
(46) Sawoo, Sj. Sarat Chandra. [Cal.-24-Parganas (Local Authorities).]
(47) Sen, Sj. Debendra Nath. [Elected by M.L.As.]
(48) Sen, Sj. Prafulla Chandra. [Hooghly-Howrah (Local Authorities).]
(49) Singha, Sj. Bimanbehari Lal. [Burdwan Division North (Local Authorities).]
(50) Sinha, Sj. Kali Narayan. [Nadia-Murshidabad (Local Authorities).]
(51) Sinha, Sj. Rabindralal. [Hooghly-Howrah (Local Authorities).]

WEST BENGAL LEGISLATIVE COUNCIL DEBATES.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 18th June, 1952, at 10 a.m. being the first day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (acting) (Sj. BIJOY SINGH NAHAR) was in the Chair. .

[10 a.m.—10-43 a.m.]

Oath.

Mr. CHAIRMAN: Hon'ble members who have not taken their oath before will please do so now.

The following members took their oaths:—

- (1) Sj. Tarakdas Bandopadhyaya.
- (2) Sj. Gurugobinda Basu.
- (3) Sj. Durga Kinkar Bhattacharjee.
- (4) Sj. Bijan Bihari Bhattacharji.
- (5) Sj. Subodh Kumar Bose.
- (6) Sj. Hridoy Bhusan Chakravorty.
- (7) Sj. K. P. Chattopadhyay.
- (8) Sj. Annada Prosad Choudhuri.
- (9) Sj. Hare Krishna Das.
- (10) Sja. Santi Das.
- (11) Sj. Narasingha Malla Ugal Sanda Deb.
- (12) Sj. Kamini Kumar Ghosh.
- (13) Sj. Prafulla Chandra Sen.
- (14) Dr. Protap Chandra Guha Ray.
- (15) Sj. Siba Prasad Kumar.
- (16) Janab Mahamed Rasid.
- (17) Sj. Charu Chandra Mahanty.
- (18) Sj. Sudhirendra Nath Majumdar.
- (19) Sj. Sachindra Nath Misra.
- (20) Sj. Kamala Charan Mookerjee.
- (21) Janab Shaikh Muhammad Jan.
- (22) Sj. Kamada Kinkar Mukherjee.
- (23) Janab Musharraf Hossain.
- (24) Sj. Lakhon Pradhan.
- (25) Sj. Surendra Kumar Roy.
- (26) Sj. Pranabeswar Sarkar.
- (27) Sj. Kali Narayan Sinha.
- (28) Sj. Rabindralal Sinha.
- (29) Sj. Bimanbehari Lal Singha.
- (30) Sj. Nirmal Chandra Bhattacharyya.
- (31) Dr. Monindra Mohan Chakrabarty.
- (32) Sj. Debendranath Mukherjee.
- (33) Janab Abdul Halim.
- (34) Sj. Narendranath Bagchi.

(35) S^j. Devaprasad Chatterjea.

(36) S^j. Prafulla Kumar Guha.

MR. CHAIRMAN: Is there any other honourable member who has not taken his oath?

(Pause.)

I have got an announcement to make. I would like to draw the attention of honourable members that as per agenda circulated today the election of Chairman and Deputy Chairman will take place tomorrow at 10 a.m. and ballot papers will be issued to members up to 10-15 a.m. Please note this.

There is no other business today. Those members who have not still taken oath may do so in my Chamber today or tomorrow morning but before they take part in the voting.

Adjournment.

The Council was then adjourned at 10-43 a.m. till 10 a.m. on Thursday, the 19th June, 1952.

Members absent.

The following members were absent from the meeting held on the 18th June, 1952:—

(1) Dutt, S^ja. Labanya Prova.

•(2) Mookerjee, S^j. Kali Pada.

(3) Prosad, S^j. R. S.

(4) Sen, S^j. Debendra Nath.

*Minister.

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 19th June, 1952, at 10 a.m., being the second day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Acting) (Sj. BIJOY SINGH NAIK) was in the Chair.

Election of Chairman.

[10—10-15 a.m.]

Mr. CHAIRMAN: Honourable members, let us now proceed to elect the Chairman of the Council. We have received only one nomination paper, and the name of Dr. Suniti Kumar Chatterji has been duly proposed and seconded by Sj. Prafulla Chandra Sen and Sj. Rabindralal Senha respectively. The nomination is in order. As only one member has been nominated, I declare Dr. Suniti Kumar Chatterji elected as the Chairman of the West Bengal Legislative Council.

I now invite Dr. Suniti Kumar Chatterji to take the Chair.

(Applause.)

(Dr. Suniti Kumar Chatterji then took the Chair.)

SJ. PRAFULLA CHANDRA SEN: Mr. Chairman, permit me, Sir, to offer you on behalf of the House, my colleagues and myself cordial greetings on your unanimous election to the exalted office of Chairman of the Council. In all democratic countries, Sir, Legislatures have very rightly assigned high place of honour to the Chairman, Speaker and President. As an educationist and philologist you have international reputation. I am sure on every side of this House there are members who have had the honour to be your students. This high office, Sir, you fully deserve, and I have not the slightest doubt that you will be able to conduct the proceedings of this House in a manner consonant with its dignity and also with impartiality. In the discharge of the onerous duties, Sir, I am sure you will receive the co-operation of all sections and groups of this House.

I congratulate you.

SJ. DEBENDRANATH MUKHERJEE: শ্রদ্ধেয় সভাপতি মহাশয়! আমি অন্তরের সঙ্গে এই পবিত্রের সভাপতি নির্বাচিত হওয়ার জন্য আপনাকে অভিনন্দিত করছি। আপনার সমরণ আছে প্রায় অর্ধশতাব্দী হতে চল আপনি এবং আমি ছাত্রজীবন আরম্ভ করেছিলেন এই শহরের একই বিদ্যালয়তনে। ১৯১৩ সালে ছাত্রজীবন শেষ হলে কর্মজীবনের বিভিন্ন ক্ষেত্রে আপনি এবং আমি নানাস্থানে ঘনিষ্ঠভাবে সংশ্লিষ্ট হয়ে নানাবিধ কার্যে অনেকদিন অতিবাহিত করেছি। কাজেই এটা অতি স্বাভাবিক যে এই সম্মানান্দ পদপ্রাপ্তির গৌরবময় পদে আপনি পদপ্রাপ্ত হওয়ায় আপনার বন্ধু হিসাবে আমি বিশেষ আনন্দিত ও গৌরবান্বিত বোধ করছি। বন্ধু শ্রীযুক্ত প্রফুল্ল চন্দ্র সেন মহাশয় আপনার বিদ্যানুরাগ এবং ভাষাবিশ্বকর্মে আপনার ব্যক্তির কথা উল্লেখ করেছেন। এখানকার অনেক সভাই জানেন না এবং তাঁরা জানলে খুশী হবেন একথাটা শুনে যে একদিন General Assembly's Institution এর তৎকালীন অধ্যক্ষ আপনার বিদ্যানুরাগের কথা উল্লেখ করে বলেছিলেন—

“Every student reads that he may live but there is one student who lives that he may read”. That was the compliment which was given to you by Mr. A. B. Wann, the then Principal of the General Assembly's Institution.

উক্ত সেই যে অতীত বাণী এখন কার্যে পরিণত হয়েছে। আপনার প্রতিভা, আপনার বিভিন্ন ভাষায় ব্যুৎপত্তি, ব্যাতি এবং প্রতিভা শুধু ভারতবর্ষে নয়, সাগরের অন্য পারেও, কি ইউরোপের, কি আমেরিকার, বিভিন্ন বিশ্ববিদ্যালয়ে পরিব্যাপ্ত হয়েছে। আজ আপনার নির্বাচনে এই আসনের মর্যাদা বৃদ্ধি হবে। এই আসনে উপবিষ্ট হওয়ার জন্য আপনার মর্যাদা বৃদ্ধি হবার বিশেষ কোন কারণ নাই বরং আজ এই পরিষদ আপনার নির্বাচনে গৌরবান্বিত ও গর্বিত বোধ করবে এবং প্রত্যেক সভাই এজন্য গৌরবান্বিত বলে মনে করবেন।

আর একটা কথা বলে আমি আসন গ্রহণ করব। আপনি ঝাঁট বাদলী, ঝাঁট ভারতীয়। আপনার আচারে, ব্যবহারে, পোষাকে, পরিচ্ছদে ভারতীয় কৃষ্টি, ভারতীয় আদর্শের প্রতি আপনার যে প্রগাঢ় অনুরাগ তা ববাবরই পরিস্ফুট হয়েছে। তাই আজ বিশেষ আনন্দের বিষয় যে আপনিই এই পরিষদের সভাপতির ভার প্রাপ্ত হয়েছেন। আমি জানি এই পরিষদ ক্ষুদ্র—ঊষু আকারে নয়, সংবিধানের যে ব্যবস্থা সেই ব্যবস্থা অনুসারেও তার যে ক্ষমতা সেই ক্ষমতার দিক দিয়ে এটা ক্ষুদ্র। কিন্তু সে ক্ষেত্র সঙ্গীর্ণ হলেও আমি মনে করি যে আপনার হাতে এই পরিষদের মর্যাদা, গৌরব ও সম্মান বর্দ্ধিত হবে, কেবল অকুণ্ঠ থাকবে তা নয়। এই কয়েকটা কথা বলে আমার শ্রদ্ধা ও ভালবাসা মাথান অভিনন্দন নিবেদন করছি।

SJ. NIRMAL CHANDRA BHATTACHARYYA: Mr. Chairman, Sir, permit me to offer our heartfelt felicitations on the occasion of your election, uncontested election, as the Chairman of this august body. It gives me particular satisfaction because I have the honour of working as your colleague at the University. But, Sir, it is not a personal matter. Your election, I have no doubt, will give universal satisfaction not only in this House but also outside all over the country. As a linguist of international reputation, as one of the greatest authorities in the world on Linguistics, as a literary man you have shed a glowing lustre upon the academic achievements of our country and we are proud of it. We are really proud to have you as the Chairman of this body. Sir, we are aware of your affiliations with the Congress Party and our differences with the Congress Party are of a fundamental nature, but in spite of those differences we are very happy indeed, as happy as the Congress benches, to be able to welcome you as our Chairman. You are aware, Sir, that the Second Chamber has been relegated to a secondary position, and I believe rightly so, in the constitutional system of the country, and I am one of those who think that the Second Chamber in a modern democratic country is an unnecessary wheel in the constitutional machinery. But so long as the Second Chamber is there it is our duty to serve it well. I have no doubt that under your Chairmanship this House will establish a tradition of impartiality, and you will also be able to build up a tradition of independence for this House. In these tasks, believe me, Sir, when we say that from this side of the House you will receive our fullest co-operation, and in your task to vindicate the honour and independence of this House you will find staunch allies in us.

Sir, I need not say much on behalf of my friends on this side of the House. I again congratulate you on your uncontested election to the Chairmanship of this great body.

SJ. MOHITOSH RAI CHOUDHURI: মাননীয় সভাপতি মহাশয়, অপ্রতিদ্বন্দ্বীভাবে আপনার এই নির্বাচনে আনন্দ প্রকাশ করে আমার পূর্ববর্তী বক্তৃতা আপনাকে যে কথাগুলো বললেন, আমি মাত্র তার প্রতিধ্বনি করবো। অবশ্য এর বিশেষ প্রয়োজন ছিল না। কিন্তু আপনি আমার বহু পুরাতন বন্ধু। বাংলা দেশের, ঊষু বাংলার নয়, সাবা ভাবতেব শ্রেষ্ঠতম সন্তানদের ভেতর আপনি অন্যতম। আজ এই আনন্দের দিনে আপনাকে আমার ব্যক্তিগত এবং স্বতন্ত্র প্রার্থীদের পক্ষ থেকে অভিনন্দন জ্ঞাপন না করে আমি পাবছি না। আপনার সভাপতি নির্বাচনে সর্বাপেক্ষা বেশী আনন্দের কাণথ এই হয়েছে যে এতে শিক্ষাবিদেব মর্যাদাদান হ'ল। আপনার ও রাষ্ট্রপালেব নিয়োগ হ'তে আমবা এটা বুঝছি যে আজ দেশেব শিক্ষাবিদেব 'পরে শ্রদ্ধাপ্রদর্শনেব সময় এসেছে। তাব লক্ষণ চারিদিক থেকে আমবা দেখতে পাচিছ।

আপনি ঊষু শিক্ষাবিদ নন, অমরা জানি বিভিন্নক্ষেত্রে আপনার কর্মশক্তি প্রকাশিত হয়েছে। জাতি এবং ধর্মের মর্যাদা বক্ষা করার জন্য, যে সম্প্রদায় থেকে আপনি এসেছেন, তাদের ন্যায্য স্বার্থ বক্ষা করার জন্য আপনার শ্রুচেটা দেশবাসী সকলে অবগত আছেন। কিন্তু শিক্ষাবিদ হিসেবে আপনি যে আজ এই উচ্চ পরিষদের সভাপতিপদে নির্বাচিত হয়েছেন, এইই আমাদের সর্বাপেক্ষা গৌরবেব কথা। কেন্দ্রীয় বিধান পরিষদে আপনারই মত আব একজন বিশিষ্ট শিক্ষাবিদ, পৃথিবীর অন্যতম শ্রেষ্ঠ শিক্ষাবিদ, সহকারী সভাপতিকপে নির্বাচিত হয়েছেন। আপনি কোন দলের পক্ষ থেকে নির্বাচিত হন নি, যদিও কংগ্রেস আপনাকে সমর্থন করেছে। কিন্তু আপনি স্বতন্ত্র প্রার্থীকপে নির্বাচিত হয়েছেন। তাই কংগ্রেস পাটি এখানে Majority Party, আপনাকে নির্বাচিত করে এবং অন্যান্য আর বীরা এখানে আছেন অন্য দলের সভ্য ডীবা আপনার বিরুদ্ধে কোন প্রতিদ্বন্দ্বী বাড়া না ক'রে আপনার

শ্রুতি গুণগ্রাহিতার পরিচয় দিয়েছেন, আমি তাব জন্য তাঁদেরও আন্তরিক অভিনন্দন জ্ঞাপন করছি। আপনি জানেন—সকল দেশের লোকই জানেন, যে Second Chamber ইতিপূর্বেও এদেশে ছিল, তখনও Second Chamberএর বিশেষ কিছু সম্মানও ছিল না, তাব ক্ষমতাও ছিল সংকীর্ণ, Second Chamberএর ক্ষমতা যে সংকীর্ণ এটা সর্ববাদিসম্মত। অনেক সময় দেখা গিয়েছে মন্ত্রীরা Second Chamberএ এসে আলোচনায় অংশ গ্রহণ করা পর্যন্ত প্রয়োজন মনে করেন নি। কেন্দ্রীয় বিধান পরিষদে এ নিয়ে একাধিকবার আলোচনা হয়েছে, এ কথা সকলে অবগত আছেন। শাসনতন্ত্র পড়লে দেখা যায় পূর্বের অপেক্ষা বর্তমানে উচ্চ পরিষদের ক্ষমতা আধাও অনেকখানি বর্ধিত হয়েছে। আমি আশা করি আপনাব মত লোক, আপনাব মত পৃথিবীর অন্যতম শ্রেষ্ঠ ব্যক্তি, আপনাব সভাপতিত্বে এই উচ্চ পরিষদের Second Chamberএর dignity সম্ভান বিশেষ বাড়বে। আমি এই সকল কারণে আপনাব নির্বাচনকে শুধু আপনাব ব্যক্তিগত গৌরব বলে নয় দেশের দিক দিয়ে, জাতির দিক থেকেও এটা অত্যন্ত গৌরবের, অত্যন্ত আনন্দের কথা বলে আপনাকে আন্তরিক অভিনন্দন জানাচ্ছি।

[10-15—10-30 a.m.]

Sj. SUDHIRENDRA NATH MAJUMDAR: পশ্চিমবঙ্গ পৌর মন্যুলনের পক্ষ থেকে আপনাব ন্যায় পৃথিবীর অন্যতম শ্রেষ্ঠ শিক্ষাবিদেব আজ সভাপতি নির্বাচনে আমি অভিনন্দন জানাই।

Sj. ANNADA PROSAD CHOUDHURI: মাননীয় সভাপতি মহাশয়, আজ সর্বসম্মতিক্রমে আপনাকে সভাপতির আসনে বসাতে পেরেছি বলে আমি সকলে আনন্দিত এবং আমাদের আন্তরিক অভিনন্দন জানাই। আপনি স্বতন্ত্র প্রার্থী হিসেবে নির্বাচিত হয়েছেন। কিন্তু কংগ্রেসের তরফ থেকে আপনি কিছু সাহায্য পেয়েছেন। তা সত্ত্বেও যে পক্ষে আপনাকে আজ সর্ববাদিসম্মতভাবে বসান হয়েছে, আপনি সেই পক্ষের গুৰুত্ব উপলব্ধি করে এই পরিষদের কার্যবিধি পরিচালনার সময় যে স্বতন্ত্রভাবে ঠাঁড়িয়েছিলেন সেই নিরপেক্ষতার ধূজা বজায় রেখে আপনি কার্য পরিচালনা করবেন এ বিশ্वास আমি রাখি। আর আপনি যেভাবে আমাদের নিকট পরিচিত, তাতে আমার আর একটা নিবেদন আপনাকে জানাই, বাংলাদেশের এই যে পরিষদ, এর কার্যকলাপ পরিচালনার কাজে বাংলাভাষা আপনাব হাতে আরও বেশী গৌরবের স্থানে প্রতিষ্ঠিত হতে পারবে, সেই আশাই আপনাব কাছে সর্বতোভাবে করি। তাই আপনাকে আমি আর একবার বিরোধী দলের প্রতিনিধি হিসেবে অভিনন্দন জানাই এবং আপনি নির্বাচিত হয়েছেন বলে আমরা সকলে আনন্দিত।

Mr. CHAIRMAN: Honourable members of the House, my esteemed colleagues: I rise to thank you for this supreme expression of your confidence in me by electing me unanimously to the Chairmanship of this august public body. I thank you also individually and collectively for the very kind and warm felicitations which you have offered me on this occasion. This morning's function is of the utmost significance for me personally. After over 38 years of continuous service in the field of education and research, today I am formally dedicating myself to a new venue of work, which will necessarily be for a much shorter period than in the case of the other one, during which I shall strive, in my own way, to be of some help, if I may, to my countrymen. A situation like this, as you can understand, cannot but be fraught with a very deep emotion for me. It has been given to me for nearly two generations to be of some use to my people and to the science I profess and which I hold very dear to my heart by carrying on the work of teaching and of investigation. The field of work is vast, and the labourers few, and I only hope that, in a free India where knowledge will also be free, there will be no lack of fresh recruits in this domain of scientific investigation. In this new sphere of work, however, to which you have called me, it will be my endeavour to assist you with the utmost impartiality possible in your deliberations, so that whatever might be your political views, and howsoever distinct you might remain in your political affiliations and loyalties, you may be able to act conjointly in all works of constructive nation-building and be instrumental in improving the lot of suffering humanity in this part of our country. I shall try to lead you by following your wishes, and working together, we shall try to uphold the dignity of the House, and to establish a tradition of high seriousness of purpose, of earnest sincerity in endeavour, of cultured urbanity of manner, and, above all, of sincere co-operation and effective teamwork for the common good in this Upper House of our West Bengal Legislature, which may become a matter of pride and affection for our people and a guide and an exemplar in public

life. I am sure we are making a beginning under the best auspices, in an atmosphere of mutual trust and friendliness, of which my election I take to be a symbol; and I only hope and pray that I may prove worthy of your confidence, and that we may maintain the spirit of our Constitution to which we have sworn allegiance by furthering, in a spirit of selflessness, the democratic ideal in political life. I thank you very much.

(Applause.)

Election of Deputy Chairman.

Mr. CHAIRMAN: Ladies and gentlemen, we shall now proceed with the election of the Deputy Chairman of this House. Only one nomination paper has been received and the name of Dr. Protap Chandra Guha Ray has been duly proposed and seconded by Sj. Kali Pada Mookerjee and Sj. Kamada Kinkar Mukherjee respectively. The nomination is in order. As only one member has been nominated I declare Dr. Protap Chandra Guha Ray elected as Deputy Chairman of the West Bengal Legislative Council.

SJ. PRAFULLA CHANDRA SEN: May I offer, with your permission, to the Deputy Chairman our sincerest congratulations on his election to the office to which he has been justly elected. He, Sir, is an old guard and an old parliamentarian and I am sure he will render to you all assistance and co-operation whenever necessary. Sir, when we shall have the pleasure of seeing him occupy your Chair we are sure he will carry on his duties impartially. I congratulate him.

Dr. MONINDRA MOHAN CHAKRABARTY: মাননীয় সভাপতি মহাশয়, আপনার অনুমতি পেলে এখন যিনি সহ-সভাপতি নির্বাচিত হলেন, তাঁর প্রতি বিরোধী পক্ষের তরফ থেকে আমাদের আন্তরিক অভিনন্দন জানাই। ডাঃ প্রতাপ চন্দ্র গুহ রায়ের নাম আমাদের জাতীয় ইতিহাসে সুপরিচিত। বিগত জীবনে তিনি দেশের জন্য যে ত্যাগ স্বীকার করেছেন, আজকে তার কথঞ্চিৎ শোধ দেবার সুযোগ আমাদের এই হাউসে হয়েছে। আমরা অত্যন্ত আনন্দিত ডাঃ গুহ রায়ের মত লোক আমাদের এই বিধান পরিষদের সহ-সভাপতি পদে নির্বাচিত হয়েছেন, আমি আশা করি তিনি যে সময় কার্য পরিচালনা করবেন, তাঁর কাছ থেকে যে নিরপেক্ষতা আন্তরিকভাবে আশা করছি তা থেকে আমরা বঞ্চিত হব না। আবার তাঁকে আমাদের সকলের পক্ষ থেকে আন্তরিক অভিনন্দন জানাচ্ছি।

SJ. PRANABESWAR SARKAR: মাননীয় সভাপতি মহাশয়, আমি বর্ধমান, বীরভূম, বেদিনীপুর এবং বাঁকুড়া Local Authorities Constituency থেকে আমাদের শ্রদ্ধেয় ডাঃ প্রতাপ চন্দ্র গুহ রায় মহাশয় যে সহ-সভাপতি নির্বাচিত হয়েছেন তার জন্য তাঁকে আন্তরিক অভিনন্দন জানাচ্ছি। আশা করি তিনি আমাদের পক্ষ দেখিয়ে নিয়ে যাবেন এই কর্তব্যক্ষেত্রে।

Dr. PROTAP CHANDRA GUHA RAY: মাননীয় সভাপতি মহাশয় ও বন্ধুগণ, আমাকে সহ-সভাপতিরূপে নির্বাচিত করে আপনারা গণতন্ত্রের জয়গান করেছেন। আমি একজন সাধারণ কর্মী। সমগ্র জীবন আমি নিবিচারে আমার যেটুকু ক্ষুদ্র শক্তি আছে, তার সমস্তটুকু দিয়েই আমি দেশের সেবা করেছি। সেই সাধারণ কর্মীকে আপনারা যে আজ এই সম্মানের আসন দিচ্ছেন এটা গণতন্ত্রেরই জয় ঘোষণা। আমার নিজের কর্তব্যমতা ও আমার শক্তির সীমা কতটুকু তা আমার জানা আছে। সমগ্র জীবন কংগ্রেসের একজন একনিষ্ট বৈরক বলিয়া পরিচিত হইবার গোভাগ্য হইলেও আমি শুধু এইটুকু বলতে পারি যে যদি কোন সময়ে এই সভার কার্য পরিচালনা করার প্রয়োজন হয়, তাহ'লে পরিপূর্ণ নিরপেক্ষতার সঙ্গেই আমি আমার কর্তব্য সম্পাদন করবো—, তাতে বিশৃঙ্খল সশেষ করার কোন কারণ নাই। এই বলে আমি আপনারদের সকলকে আমার আন্তরিক ধন্যবাদ জ্ঞাপন করছি।

(Applause.)

Mr. CHAIRMAN: Ladies and gentlemen, your attention is drawn to the circular which has been already sent to you from the office. Tomorrow there will be a joint sitting of the Assembly and the Council at 4-45 p.m. when His Excellency the Governor will address both the Houses.

1952.]

MEMBERS ABSENT.

7

Adjournment.

The Council was then adjourned at 10-30 a.m. till 4-45 p.m. on Friday the 20th June, 1952.

Members absent.

The following members were absent from the meeting held on the 19th June, 1952:—

- (1) Bagchi, Sj. Narendranath.
- (2) Banerjee, Sj. Sankar Das.
- (3) Mookerjee, Sj. Kamala Charan.
- (4) Sinha, Sj. Rabindralal.

Joint Sitting of the West Bengal Legislative Council and the West Bengal Legislative Assembly, assembled together under the provisions of the Constitution of India.

THE WEST BENGAL LEGISLATIVE COUNCIL AND THE WEST BENGAL LEGISLATIVE ASSEMBLY met in the Assembly House, Calcutta, on Friday, the 20th June, 1952, at 4-45 p.m.

Present:

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI), Mr. Speaker (Sj. SAILA KUMAR MUKHERJEE) and members of both Chambers were present.

[Mr. Chairman and Mr. Speaker received the Governor in the centre of the inner square under the small dome in the vestibule where a procession was formed in the following order:—

	Marshall	
Special Officer		Secretary
Chairman		Speaker.
	Governor	
Secretary to		A.D.C.
the Governor.		

All present rose as the procession entered the Chamber and remained standing until the Governor took his seat.

The Governor then ascended the dais by the steps on the right and the Chairman and the Speaker occupied seats to the right and left of the Governor, respectively.]

The Governor addressed the Members of the Legislature as follow:—

MEMBERS OF THE WEST BENGAL LEGISLATURE,

I extend to you my cordial greetings on this historic occasion which marks the first meeting of the Houses of Legislature chosen by the people of West Bengal under the Constitution of India. A new era in the history of this State has begun and, with the disappearance of the old Legislative Assembly, the last link with the former constitutional system has been broken. We now begin our journey with new hopes and expectations, determined to strive for the prosperity and welfare of our people who have sent you as their representatives and have charged you with the duty of working for the good of the State. I am sure that you will prove yourselves worthy of their confidence. I welcome you to this House which, I hope, will witness your ceaseless endeavours for the material and moral well-being of the people of this State.

My Government are not unmindful of their responsibilities in this matter. While they earnestly look forward to your counsel and co-operation in the formulation of policies and programmes for the development of this State, they are conscious of the need for strengthening the element of Ministerial supervision and control in the implementation of concrete measures for the welfare of the State. My Government have accordingly been reinforced by a number of Deputy Ministers who will not only give assistance to my Ministers in some important departments but will also exercise, on their behalf, active Ministerial supervision and control over the actual execution of development schemes and measures. My Deputy Ministers represent a carefully chosen team of men and women who are not only prepared to work hard but who also possess a fund of knowledge and experience of local conditions which my Ministers will find useful in the planning and execution

of development schemes. They will provide a valuable link between my Government and the people at large whose wishes and suggestions they will constantly bring to the notice of my Government, in order that all administrative policies and programmes may, in future, be shaped by the real needs of the people of the State. There could not be devised a better institutional system for a Welfare State like ours which, as you are aware, is now engaged in many-sided development activities for the welfare of the people. My Deputy Ministers will, in this process, obtain valuable insight into the machinery of administration and acquire useful knowledge and experience of its daily working which will in due course help them to prepare themselves for the assumption of heavier responsibilities hereafter.

I am glad to say that, with the same object in view, some departmental reorganisation has already been effected. A new Department of Cottage and Small-scale Industries has been brought into existence. There has been, according to many competent critics, inadequate appreciation of the needs of cottage and small-scale industries which have languished for various reasons amongst which are the severe competition they face from mechanised large-scale industries, shortage of basic raw materials, paucity of credit facilities and absence of adequate marketing organisations. It will be the aim of this new Department to remove these basic handicaps, to initiate necessary measures for revitalising existing cottage and small industries and to foster the growth of new ones wherever conditions are favourable. This will be done according to a balanced plan which will ensure integration of small and large industries necessary in any scheme of industrial development for this State.

A new Department of Tribal Welfare has been created and placed in exclusive charge of one my Ministers aided by a Deputy Minister, so that the amelioration of the economic and social conditions of the tribal people in this State may receive the exclusive and undivided attention of a single department. The Prime Minister in a recent statement rightly pointed out the need for "a psychological integration and consolidation of the whole of India" thus building up "a unity which will do away with Provincialism, Communalism and various other 'isms' which disrupt and separate". We should approach the tribal people with sympathy and understanding not interfering with their way of life but helping them to live it well. There should be created "a bond of affection and understanding" between the tribal people and the people of the rest of India. In this connection we should recall what the President of the Republic pointed out only the other day when he observed that "the Constitution of India laid a mandatory duty on Government to give special attention to problems of the tribal people. They should be given all assistance, financial and otherwise, to induce them to live a fuller and more settled life. They should be made to feel that they are an important and integral part of the Nation".

Distribution of work amongst certain other departments has also been rationalised so that kindred subjects may be grouped under the same department. This, it is felt, will be conducive to efficiency and quickness of disposal.

An important new department is the Development Department which now functions as the co-ordinating agency for all development schemes and projects. It keeps in touch with all other departments concerned with the planning and execution of development schemes and also reviews the progress of their execution. It is, besides, in direct charge of some important schemes and projects amongst which are the Community Development Projects, the Kalyani Township Scheme and the State-sponsored Electricity Development Schemes. It also exercises administrative control over the Construction Board which is a special engineering organisation responsible for undertaking urgent programmes of construction on behalf of the different departments of Government.

My Government have undertaken Community Development Projects in different areas with the object of ensuring the development of our villages and creating small townships by which our material and human resources may be utilised to the best advantage. Eight regions have been selected in this State for implementing these projects. Each of these regions consists of a block of about 100 villages around a rural township of about 5,000 people. The central emphasis in this programme will be on the co-ordinated development of townspeople and villagers so as to increase the productivity of these areas. Although the greatest stress will naturally be laid on **agricultural development**, the establishment and expansion of small and medium-scale industries in the townships will be an important feature of the programme. There will also be in these regions provisions for amenities in other directions, such as establishment of health units and educational centres, co-operative societies, etc. A special organisation with a Development Commissioner at its head has been set up for the planning and execution of these projects. There is also a Development Board consisting of officials and non-officials whose functions are to prepare an integrated plan of development for the State, to decide questions of priority between various schemes, to review progress in their execution and to make recommendations about development matters in general to my Government.

The new Development Department has taken over the various State-sponsored electrification projects which are calculated to bring cheap electricity within easy reach of the rural people. Satisfactory progress has already been made and the first part of the North Calcutta Rural Electricity Grid Scheme has already been completed and power switched on in the towns of Ranaghat, Santipur, Haringhata, Fulia, etc. It is hoped that the entire scheme electrifying an area of about 1,000 square miles will be completed in the course of the next year. The Development Department has also taken over the execution of the extensive road development programme of my Government which has already made commendable progress. A large mileage of new roads with a number of bridges has been constructed and fairly long routes connecting the different regions of the State are nearing completion. It will be the endeavour of my Government in the coming years to build up an adequate network of roads to serve the needs of the rural areas. In addition to this programme of new construction, a very large and increasing mileage of roads is being efficiently maintained and improved so as to make them fit for modern traffic conditions.

There has been a reorientation of the policy so far as the Grow-More-Food Schemes are concerned. My Government have decided that instead of distributing small quantities of material resources, like manures, seeds, over an extensive area, it would be more satisfactory to utilise such resources for small areas where intensive cultivation will be assured. Thus an intensive rather than a diffused method of providing facilities for the Grow-More-Food Schemes is to be adopted in the State.

My Government are naturally giving a very high priority to the execution of irrigation schemes in this State. During the year 1951-52, 864 small irrigation schemes were completed and 461 derelict irrigation tanks were reclaimed. My Government propose to execute 1,000 small irrigation schemes and improve 600 derelict tanks during the current year. Distribution of manures and fertilisers and of improved seeds in increasing quantities is also being undertaken.

Of the many development schemes launched by my Government the Mayurakshi Reservoir Project is by far the largest and is now making satisfactory progress. An area of 130,000 acres is expected to be irrigated in the forthcoming *kharif* season. My Government hope to complete the project by 1954 when irrigation will be provided to 600,000 acres in the *kharif* season and 120,000 acres in the *rabi* season. The detailed design of

the Hydro Power Station and Transmission System of the Mayurakshi Project has also been finalised and it is hoped that the scheme will be completed by about 1955.

A great deal of attention is being paid to the bridging of the gulf separating the scientist from the farmer. A large extension staff has been working to make available to the cultivator the technical advice of the specialist. Necessary training for such work has been given to the extension staff.

There has been a pressing need for an Agricultural College in this State ever since the Partition of Bengal. My Government have now established a Degree College for the purpose, at Tollygunge. This will commence its classes from the ensuing academic session.

It is unfortunate that, owing to adverse weather conditions, the yield of last *aman* crop was below normal. This has meant a very heavy deficit with regard to the available supply of cereals. At the meeting held at New Delhi in February last, my Government asked the Government of India to allot 8.5 lakh tons of cereals to meet this deficit. We were, however, given 6.04 lakh tons, of which 26.5 thousand tons were in rice and the remainder in wheat. It was therefore found necessary to reduce, in certain areas, the rice portion and to increase the wheat portion of the ration. This caused great dissatisfaction amongst those who are accustomed to rice as their principal cereal food. Persistent efforts were made by my Government to get increased allotment of rice from the Centre and we are now promised an additional amount of one lakh tons of rice by the Centre. This quantity, it is estimated, will ease the situation to a material extent.

The food situation in parts of 24-Parganas, Nadia and Howrah, has caused a great deal of distress amongst the people. My Government have released about 350,000 maunds of rice for these areas and have also arranged to sell 10,000 tons of rice and 10,000 tons of *atta* or wheat at Rs. 15 per maund, the subsidy in the case of rice being borne by this State and that, in the case of wheat and *atta*, by the Government of India.

Meanwhile, my Government have been taking all necessary steps for organising relief operations in the distressed areas. In the 24-Parganas district which has been badly affected, free doles are being distributed to the old and the infirm and to others who are physically incapable of earning their living by working. Five thousand maunds of rice and five thousand maunds of *atta* have been released for distribution as gratuitous doles through non-official bodies, while a free supply of *dhotis*, *saris* and children's garments is being made available. Large quantities of milk powder have also been distributed. Test Relief Centres have been opened. Repairs to roads and embankments in the distressed areas have been taken up. Relief shops have been opened in all areas where test relief works are in progress. In certain areas, shops have been opened for indigent persons where broken rice is sold at a very low price. Paddy-husking schemes are also in operation for giving employment to women. Agricultural loans, land improvement loans and cattle-purchase loans are also being given. Modified rationing schemes are also in operation in distressed areas. Ten thousand pieces of *towas* and two thousand sets of *chakis* and *beluns* have also been supplied free with a view to encouraging people to take wheat. Similar measures in varying degrees have also been undertaken in other districts. My Government are confident that the situation will improve but they are watching it carefully and are keeping themselves ready for providing additional remedial measures if the occasion so requires.

According to all estimates, the prospect of *aus* crop is bright. Our information is that the crop of wheat in other parts of India has also been very satisfactory. It is therefore expected that the acute food situation will soon be relieved.

It is unfortunate that the exodus of refugees from East Bengal has started again. We are informed that the food situation in East Bengal is bad and a great deal of the present exodus is due to distress caused by food shortage. New transit camps have been opened near Calcutta for the reception of the newly-arrived refugees. The problem of their rehabilitation is naturally causing anxiety to my Government.

My Government have been steadily pursuing their policy of expansion of hospital facilities in this State. Two hundred extra beds are being provided in the Presidency General Hospital where arrangements for post-graduate teaching have also been made. It has also been decided to convert the Prince Gholam Mohammed Hospital into a 200-bedded hospital for which construction is already in progress. There are already 100 beds in the Digri Tuberculosis Hospital and another 100 beds are to be opened at the Kanchrapara Tuberculosis Hospital for which new construction is fast nearing completion. Two hundred beds are also contemplated for the Goureopore Leper Colony in the Bankura district where accommodation for 120 persons has already been provided. A commodious outdoor hospital, unique of its kind in India, has just been completed at the Nil Ratan Sarkar Hospital and is now awaiting formal opening. Union and Thana Health Centres are being provided at an increasing rate in the rural areas all over the State. Measures of malaria prevention are being proceeded with. Two fresh districts are taken up every year for operations while they are being continued in districts already taken up.

The first general election of the Councillors of the Calcutta Corporation under the new Calcutta Municipal Act was smoothly conducted throughout the city in March, 1952. Out of a total of 1·6 lakhs of electors, about 68 per cent. went to the polls. After a period of nearly four years of supersession, the newly-elected Councillors at their meeting on May 1, 1952, took over the administration of the Corporation. By launching a campaign for cleaner Calcutta soon afterwards, the Councillors have already shown a laudable desire to improve the civic life of the city.

Under the Kalyani Township Scheme my Government's object is to build a new town 28 miles from Calcutta on 6,000 acres of land with another 4,000 acres of given belts around the town at an ultimate total cost of Rs. 11·37 crores. The work is now in progress in one block comprising 1,100 acres at an estimated cost of Rs. 2 crores. About 50 per cent. of the work of building roads, laying sewer and water pipes, electrification and raising and levelling of the ground has been completed in this block. The total amount so far spent is Rs. 85·32 lakhs. It is expected that possession will be given to lessees from September, 1952, onwards.

My Government have also built, at a cost of Rs. 13·62 lakhs, residential blocks with 72 flats in the Entally area of Calcutta for accommodating middle-class families of moderate means at reasonable rents. Thirty-five acres of land have also been acquired in Tollygunge area which are being developed at an estimated cost of Rs. 21·12 lakhs, to be leased out for construction of residential buildings on Government approved plans.

Estimates for the current financial year were laid before the old Legislative Assembly in the February session but the items were not then voted upon as it was thought that it was proper that they should have the approval of the new Houses of Legislature then being constituted. Only a vote on account was then obtained to enable essential expenditure being met for the first five months of the year. These estimates will be laid before you again with certain modifications. Members of the Assembly will be asked to vote upon them and after their approval, both Houses will be asked to pass an Appropriation Bill in this connection.

Certain other Bills will be placed before you in this session. Of these, there will be a Bill for making provision for the salaries and allowances of the Speaker and the Deputy Speaker of the Assembly, the Chairman and the

Deputy Chairman of the Council as well as my Ministers. You will also be asked to pass certain other Bills in replacement of a few Ordinances and as these Ordinances will lapse in a short time, your very early approval will be asked for.

The ideal of the Welfare State we are striving to attain implies a change for the better, but it must not be forgotten that the transitional stage cannot be expected to be either a happy or an easy one, a fact realised and pointed out more than 350 years ago when in his "Ecclesiastical Polity" Hooker observed "Change is not made without inconvenience even from worse to better". The world is moving so fast that we must either strive to keep pace with it or else fall back and perish. If we wish to live, we have no choice but to put up with such inconveniences or even hardships as are inevitably associated with progress.

You members of our Legislatures have been entrusted by the people of this State with the responsibility of not merely looking after their welfare and maintaining the amenities at their present level but also of helping Government to make additions to such as are available today. In discharging this obligation, I trust that you will remember that the rate of progress is primarily conditioned by the means at the disposal of the State and that, as bricks cannot be made without straw, some amount of inconvenience or even hardship will have to be borne and borne not only willingly but cheerfully whenever progress has to be made. It is also equally necessary that you should bear in mind that cheese-paring is not always an indication of sound statesmanship.

I now leave you to your work and hope that all measures which will be placed before you in this session will receive your careful consideration. May the Almighty give you courage and strength in the discharge of your new responsibilities. May His blessings always rest on you in your noble work for the good of the people.

[The Governor then left the Chamber in procession in the same order as he came in.]

Members absent.

The following members of the Bengal Legislative Council were absent at the joint sitting held on the 20th June, 1952.

Mookerjee, S.J. Kamala Charan.

Sarkar, S.J. Pranabeswar.

[20TH JUNE,

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 20th June, 1952, at 6 p.m., being the third day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

p.m.—6-5 p.m.]

Mr. CHAIRMAN. Ladies and gentlemen, honourable members of the House, I have to acquaint you that His Excellency the Governor was pleased to deliver a speech this day to the two Houses of the Legislature of which, for greater accuracy, I have obtained copy and the same has been laid on the table for the information of the members. Now, motions, if any, may be moved.

Motion for an address in reply to the Governor's speech.

SJ. NARENDRANATH BACCHI: Sir, I beg to move that a respectful address in reply be presented to His Excellency the Governor as follows:—

“Your Excellency, we, the members of the West Bengal Legislative Council, assembled in this session beg to offer our humble thanks to Your Excellency for the most excellent speech which Your Excellency has delivered to this House”.

SJ. KAMINI KUMAR GHOSH: Sir, I beg to second the motion.

Mr. CHAIRMAN: Honourable members will please send in their amendments. If any amendments are sent to the above motion they must come in by 1 p.m. on the 21st June, 1952, at the latest.

I have to inform you that the House stands adjourned till 10 a.m. on Monday, the 23rd June, 1952.

SJ. DEBENDRANATH MUKHERJEE: Sir, on a point of information.

SJ. BIJOY SINGH NAHAR: As the House has been adjourned there cannot be raised any point of information.

Mr. CHAIRMAN: The House has been adjourned and there cannot be any question on a point of information. If there is anything special, you may kindly see me in my chamber.

Adjournment.

The Council was then adjourned at 6-5 p.m. till 10 a.m. on Monday, the 23rd June, 1952.

Members absent.

The following members were absent from the meeting held on the 20th June, 1952:—

- (1) Mookerjee, S.J. Kamala Charan.
- (2) Sarkar, S.J. Pranabeswar.

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 23rd June, 1952, at 10 a.m. being the fourth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNIL KUMAR CHATTERJI) was in the Chair.

Panel of Presiding Officers.

[10—10-10 a.m.]

Mr. CHAIRMAN: Ladies and Gentlemen, we now proceed to the various items in to-day's business. The first item is the formation of a Panel of Presiding Officers under rule 7 of the West Bengal Legislative Council Procedure Rules and in accordance with the provisions of rule 7 of the West Bengal Legislative Council Procedure Rules I nominate the following members of the Council to form a Panel of four Presiding Officers for the ensuing Session:—

- (1) Sj. Tarakdas Bandopadhyaya,
- (2) Sj. Debendranath Mukherjee,
- (3) Sj. Nirmal Chandra Bhattacharyya, and
- (4) Sj. Annada Prosad Choudhuri.

Unless otherwise arranged the senior member among them present in the above order will preside over the deliberations of the Council in my absence and in the absence of the Deputy Chairman.

Sj. DEBENDRA NATH SEN: On a Point of Privilege, Sir. From the business for this session of the Council circulated we find that, only two days have been allotted for discussing the Governor's Address, and only three days for discussing the Budget, that is to say, this Council, Sir, will sit only for five days, and then it will vanish.

Mr. CHAIRMAN: We are not on those particular items now. You will please raise your point at the appropriate time.

Ordinances.

The Tribunals of Criminal Jurisdiction Ordinance, 1952.

Sj. SATYENDRA KUMAR BASU: I beg to lay before the Council the Tribunals of Criminal Jurisdiction Ordinance, 1952 (West Bengal Ordinance No. I of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Ordinance, 1952 (West Bengal Ordinance No. II of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Legislature (Removal of Disqualifications) Ordinance, 1952.

Dr. BIDHAN CHANDRA ROY: I beg to lay before the Council the West Bengal Legislature (Removal of Disqualifications) Ordinance, 1952 (West Bengal Ordinance No. III of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Legislature (Prohibition of Simultaneous Membership) Ordinance, 1952.

Dr. BIDHAN CHANDRA ROY: I beg to lay before the Council the West Bengal Legislature (Prohibition of Simultaneous Membership), Ordinance, 1952 (West Bengal Ordinance No. IV of 1952), under Article 213(2)(a) of the Constitution of India.

The Corporation of Calcutta (Temporary Supersession) (Amendment) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the Corporation of Calcutta (Temporary Supersession) (Amendment) Ordinance, 1952 (West Bengal Ordinance No. V of 1952), under Article 213(2)(a) of the Constitution of India.

The Calcutta Municipal Act, 1923 (Amendment) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the Calcutta Municipal Act, 1923 (Amendment) Ordinance, 1952 (West Bengal Ordinance No. VI of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Molasses Control (Amendment) Ordinance, 1952.

Sj. SYAMA PROSAD BARMAN: I beg to lay before the Council the West Bengal Molasses Control (Amendment) Ordinance, 1952 (West Bengal Ordinance No. VII of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Criminal Law Amendment (Special Courts) Amending Ordinance, 1952.

Sj. SATYENDRA KUMAR BASU: I beg to lay before the Council the West Bengal Criminal Law Amendment (Special Courts) Amending Ordinance, 1952 (West Bengal Ordinance No. VIII of 1952), under Article 213(2)(a) of the Constitution of India.

The Calcutta Municipal (Amendment) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the Calcutta Municipal (Amendment) Ordinance, 1952 (West Bengal Ordinance No. IX of 1952), under Article 213(2)(a) of the Constitution of India.

The West Bengal Fire Services (Amendment) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the West Bengal Fire Services (Amendment) Ordinance, 1952 (West Bengal Ordinance No. X of 1952), under Article 213(2)(a) of the Constitution of India.

The Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Ordinance, 1952 (West Bengal Ordinance No. XI of 1952), under Article 213(2)(a) of the Constitution of India.

The Corporation of Calcutta (First Meeting) Ordinance, 1952.

Sj. ISWARDAS JALAN: I beg to lay before the Council the Corporation of Calcutta (First Meeting) Ordinance, 1952 (West Bengal Ordinance No. XII of 1952), under Article 213(2)(a) of the Constitution of India.

Laying of Amendments to the Bengal Motor Vehicles Rules, 1940.

Dr. BIDHAN CHANDRA ROY: I beg to lay before the Council the amendments to the Bengal Motor Vehicles Rules, 1940.

Mr. CHAIRMAN: We will now take up the business remaining from the 20th June, 1952.

Point of Privilege.

Sj. DEBENDRA NATH SEN: On a Point of Privilege, Sir. I find from the business for this Session of the Council that, only two days have been allotted for discussing the Governor's Address. As you know, Sir, this Council will have very little opportunity of discussing the various problems through cut motions. The opportunity afforded through putting in questions and getting replies will also be less, as the Council will be sitting for very few days. In fact, during this Session after five days' sitting, namely, two days for the Governor's Address, and three days for the General Discussion of the Budget, we vanish. Sir, we feel proud in having you as our Chairman, and we do not like to see you vanish also so quickly, and not be allowed to function as Chairman for a long time in this session, and to set up examples to other Councils of similar nature throughout India. For my claim to a longer session, there are weighty reasons, Sir. The Governor's Address this year is bulkier and contains more details than is generally the case. In fact, it is a conglomeration of the various prospective speeches of Ministers of various departments. Therefore, we also shall have to go into details, and two days only will not suffice. Further, Sir, we have got as our Leader in this House the famous famine Minister. He has got to be exposed. We would also like to hear him. The burning problems to-day are the famine, and starvation, and all these things therefore, will require this House to give its considered opinion on the various aspects of the problems affecting the people of this State. Another point, Sir. We have got the special interests represented in this House, the special interests being Art, Literature, Science, etc. We have also the special ladies' constituency, and we have got two charming ladies sitting in this House. We would like to hear every one of them. Therefore, I would appeal to you for more time, Sir. I find, Sir, there is scope for giving more time because after the 25th, we again meet on the 28th, and we can have at least two days' more, namely, the 26th and 27th, for discussing the Governor's Address.

Sj. DEBENDRA NATH MUKHERJEE: I feel that my friend has sufficient reasons to complain of the short time that has been allowed for the discussion not only of the Governor's Address but also of the Budget.

[10-10—10-20 a.m.]

I quite feel that there is some time allotted for discussion to each of these two items. Sir, I do not at once suggest that you will give more time for the discussion, but what I am suggesting is this—let us now proceed with the discussion of the Governor's Address and if to-day and the next day allotted for complete discussion do not suffice then certainly I would appeal to you, Sir, not to cut short the discussion which is likely to come from the different sections of the members of this House but to allow further time for discussion. It is not that my friend wants here and now that more time should be allotted. If we feel that we cannot finish by the time allotted, my prayer to you, Sir, would be that you will give us more time.

Sir, I would like to mention one difficulty that we are feeling. The agenda is being handed over to us when we are entering the House. It is desirable that it should be brought to the attention of the members and that it should be sent to the address of the members at an earlier time, so that we may know our position and we may also allot the time for discussion conveniently to the different sections of the members of the House. That

will save the time of the House and that will save your time, Sir. Therefore, Sir, I request that you kindly give necessary directions to the office that the agenda is circulated earlier to the members of the House.

SJ. NIRMAL CHANDRA BHATTACHARYA: Mr. Chairman, Sir. Fortunately for us the Chief Minister is present in our midst this morning. I know that he is in favour of giving full scope for discussions. The Leader of the House Mr. P. C. Sen also does not want, I am quite sure, to stifle discussion. If they oppose the very reasonable suggestion that has been put forward by Mr. Deben Sen and Mr. Debendranath Mukherjee, we will come to the conclusion that they are anxious to stifle discussion and that they are afraid of criticism. In view of this I hope they will not raise any objection and sufficient time will be given to us to discuss all aspects of His Excellency the Governor's Speech.

SJ. PRAFULLA CHANDRA SEN: Sir, three days have been allotted for the Assembly where there are more than 240 members. This House has got only 51 members and there are only eight amendments. If half an hour is given for each amendment, it will take only four hours' time. I do not think therefore that more than two days' time is necessary.

MR. CHAIRMAN: In a case like this, I think the suggestion made by Sj. Debendranath Mukherjee is eminently reasonable. Let us proceed with the business, and if we find that we cannot finish it within the time allotted, then we might consult the Leader of the House and extend the period of our discussion by one day or two days, if necessary. I now request honourable members to take up item 5 and move the various amendments standing in their name. In this connection, I should like to state that the amendments which were sent by Sj. Debendranath Mukherjee have been received but they could not be printed. They will be circulated immediately among the members, and we may proceed with the moving of the amendments now.

Amendments to the motion of address in reply to the Governor's Speech.

SJ. K. P. CHATTOPADHYAY: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

“But regret—

- (a) that nothing has been said about progress or otherwise of education or introduction of compulsory primary education;
- (b) that nothing has been said about improvement of the economic condition of tribal people;
- (c) that no measures have been taken for land reforms without which Irrigation projects and Rural Township plans cannot benefit the community.”

DR. MONINDRA MOHAN CHAKRABARTY: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

“But regret—

- (a) that His Excellency's Government has failed to implement the grow more food campaign properly in the matter of developing other sources of food supplies through indigenous methods;
- (b) that His Excellency's Government has failed to make adequate arrangement for the technical training of different categories of people to be absorbed in different industries as also for higher technical training in many of the applied sciences;
- (c) that His Excellency's Government has failed to develop rural electrification schemes in many of the adjoining districts of Calcutta;

- (d) that His Excellency's Government has failed to arrange for the proper reception and resettlement of refugees from East Bengal who are pouring in large numbers;
- (e) that His Excellency's Government has not mentioned the important question of readjustment of the boundaries of the Bengali speaking areas.

Sir, I want to withdraw the last item, item (f), from my amendment. I saw from a news item of yesterday that it is not substantiated by facts.

Mr. CHAIRMAN: So, item (f) is not moved.

Dr. MONINDRA MOHAN CHAKRABARTY: Yes, Sir.

Sj. DEBENDRA NATH SEN: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

“But regret that no reference has been made in the Speech to the fundamental problems of abolition of zemindary system, bringing down of the price-level, reduction in the cost of administration, removal of the distress of the people in famine-affected areas and a permanent solution of the food problem within the State.”

Sj. NIRMAL CHANDRA BHATTACHARYYA: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

“But regret—

- (a) that the manner in which His Excellency's Council of Ministers has been formed is not likely to lead to an efficient administration of the State;
- (b) that no policy has been laid down for the repeal of repressive measures and the adequate safeguarding of the liberties of the people including the right of the peasants, workers and employees to freedom of association;
- (c) that no steps are proposed to be taken for the revision of the allocation of revenue by the Centre to the State of West Bengal;
- (d) that no new policy has been devised for the rapid improvement of the educational system of the State;
- (e) that no policy has been enunciated for the abolition of the zemindary system and the establishment of peasant proprietorship; and
- (f) that adequate measures have not been outlined for rural development and famine relief.”

Sj. MOHITOSH RAI CHOUDHURI: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

“But regret—

- (a) that no reference has been made to any plan or programme for the improvement and expansion of education in the State by (i) opening additional primary schools in every district over and above the existing ones, (ii) enhancement of the salary of primary and secondary school teachers through additional grant made to the District School Boards and Secondary Education Board, (iii) providing additional training facilities for the untrained teachers working in the existing schools, (iv) revising the syllabus and curriculum of studies introduced in the existing primary schools without providing them with adequate teaching appliances and properly trained teachers, (v) taking steps for the revision of the existing grant-in-aid rules for secondary schools, and (vi) by giving adequate grants to the colleges (non-Government) in the State; and

- (b) that no indication is made in the Speech as to what the Government intend to do to provide employment for the young men who have been discharged by the abolition of certain parts of the Middle Class Unemployment Scheme."

Janab ABDUL HALIM: Sir, I beg to move that the following be added at the end of the address in reply, viz.,—

"But regret the omission in the Speech of any mention of—

- (a) any attempt to abolish zemindary system;
- (b) any attempt to solve growing food crisis facing West Bengal to-day;
- (c) any attempt to make adequate arrangements to avert famine that is stalking West Bengal;
- (d) any adequate policy regarding relief and rehabilitation of refugee and displaced persons;
- (e) any adequate policy or plan to solve food crisis and famine permanently; and
- (f) Labour policy in West Bengal."

[10-20 to 10-30 a.m.]

SJ. ANNADA PROSAD CHOUDHURI: I beg to move that the following be added at the end of the address in reply, viz.,—

"But regret—

- (a) that the administration, which is already top-heavy, is going to be still more so by the multiplication of various kinds of Ministers and Parliamentary Secretaries of two categories, viz., one class attached to the Chief Minister on a higher salary and the other class attached to common Ministers on a lower scale of salary and that in view of the reduction of area of the State after Partition, there is no indication about the necessity being felt for effecting economies in administrative costs and for securing support and co-operation of the people for whom and by whom the Government is to be run;
- (b) that although the villages form the backbone of the country and 80 per cent. of our people live in villages, more attention has been paid towards urban developments than rural; and
- (c) that although controls have admittedly generated corruption in all spheres of life, there is no indication of policy for stamping out corruption or at least for decontrol of movement of cereals both inter and intra-district."

SJ. DEBENDRANATH MUKHERJEE: I beg to move that the following be added at the end of the address in reply, viz.,—

"But regret that there is no reference in His Excellency's Speech to—

- (a) educational policy of West Bengal to get rid of the huge illiteracy of the people;
- (b) constant raids on the Eastern Borders of West Bengal and the consequent insecurity of life and property of the people and the State;
- (c) the necessity of Farakka barrage and the bridge for the development of West Bengal, physically and economically;
- (d) the steps taken or to be taken for implementation of the food policy of the Hon'ble Food Minister of the Indian Union;
- (e) the reaction of Railway Regrouping on the trade and economic condition of West Bengal;

- (f) the introduction of Passport system by Eastern Pakistan and the policy that the West Bengal Government shall have to follow for the security of her people and protection of the trade and economic interest of Bengal;
- (g) corruption and nepotism in the administration and no suggestion to purge it off;
- (h) policy for rehabilitation of the refugees and compensation for the loss of properties left in Pakistan; and
- (i) importance of Sundarbans as a vast land of agriculture open to raids by Pakistan and suggestions for its development and prospects."

Mr. CHAIRMAN: Ladies and Gentlemen, the amendments are now open to discussion and I request Mr. Chattopadhyay to open the debate.

SJ. K. P. CHATTOPADHYAY: Mr. Chairman, Sir, you are aware that for over a century of British rule we suffered through lack of education as much as from lack of other amenities of life. You are aware, Sir, that between 1835 when the total number of illiterates in this country was 11 crores it rose to about 33 crores and more in 1941. Our national leaders right from the beginning had been fighting for expansion of primary education and early introduction of compulsory primary education. That the work can be taken up even in the midst of difficult circumstances was demonstrated when the late Deshbandhu Chittaranjan Das came into power in the City of Calcutta. In the course of five years it was possible to raise the percentage attending school from 28 to 66 which is the limit that may be expected on a voluntary basis. We have had, Sir, this Government also for nearly five years. It is not possible to give you the exact figures for West Bengal to-day for the very simple reason that although every school submits its return by April of the year the Government of West Bengal has not thought fit to publish any data after 1949. They are three years behind time. Some data, however, is available. We find that while in 1946 the total number of children between the ages of 6 and 11 who were at school formed 45 per cent. of the total number of such children, at the end of March 1949 it was a bare 47 per cent. How far this is really an improvement I am unable to say for the simple reason that there was an influx of refugees who had children at school in different areas. Actually we find that the total of the population shows only 7.9 per cent. at school both in 1948 and also in 1949; in other words it was stationary; hence we cannot talk about progress. If we come to the percentage of the Budget we find that in 1951-52 it was 8.9 of the total expenditure in West Bengal as against the average of 14.4 in the other Part A States taken together. For primary education it was 33.7 per cent. in West Bengal against 54.0 on an average in the other Part A States. Although I am unable to give you the figures for the whole of Bengal, I can tell you something about the largest district in the State, the district of Midnapore. I have taken the trouble to check the facts and, therefore, I can place them before you. In 1949, Sir, there were 3,673 primary schools in existence; in 1951 they had fallen to 2,800. This was in accordance with the policy of the Government to reduce the number of schools in that district. There is a rule framed under the Bengal Primary Education Act of 1930. The rule was framed in 1940 when we were under an unsympathetic Government and that rule laid down that one primary school should be started for 3—1/3 square miles or for 2,000 of the population. No attempt was made to take into account the difficulties of large areas in Western Bengal or Northern Bengal, areas like Midnapore, Bankura, Malda or Jalpaiguri. The density of these areas is much less and to insist that you must have schools on the basis of one school for 2,000 of the population or for an area of 3—1/3 square miles means that children of tender age have to move across bridges and rice-fields and also through forests where there are wild animals. That holds true of Jalpaiguri, of parts of Malda, Bankura, Sader and parts of Midnapore Sader as well as Thakurgaon. There

have been protests but without avail. Protests were made when the rule was framed in 1940 and the protests are still being made. I may add that in Midnapore itself, the Sadar Subdivision and the Jhargram Subdivision cover 2/3rds of the total area of the district. The density of population of these two Subdivisions is for Sadar 467 per square mile and for Jhargram only 319, but the rule that was framed for areas which had a density of 800 to 900 is still being operated. I made enquiries from the department. I made enquiries elsewhere and I was told that the rule is there and, therefore, nothing can be done. You all know the well-known adage হাকিম নড়ে ত' হকুম নড়ে না The British Government may have changed but the rules laid down by them go on as before.

[10-30—10-40 a.m.]

I ask, is this progress to cut down the total number of schools from 3,600 to 2,800—it is only turning your face backwards, it is progress backwards, not forwards. The real basis for one school should be two square miles or one school for a population of 1,200. And you should introduce compulsion. If you introduce compulsory education, then there would be no question of overlapping or wastage. These things, Sir, require serious consideration. I regret to say that nothing has been said in the Address. There is no mention even of introduction of compulsory education.

I shall now pass on, Sir, to the second clause of my amendment, with regard to the economic condition of the tribal people. I should mention, however, before that that the tribal population has been very hard hit by this neglect of education in this fashion, because they are the people who inhabit large tracts of land in Malda, Bankura Sadar and the Jhargram Subdivision. It has been suggested that due attention will be paid to the tribal population, that improvements will be carried out on the lines laid down by the President of the Union. It is not revealing any secret or any confidential matter when I say that the Address of the President is based largely on certain recommendations made by a Committee of Anthropologists and Sociologists which met in Calcutta on the initiative of the Government of India only in December last. We are glad that the recommendations of scientists have received at least indirect recognition. But, Sir, we do not find anything specific said in the plan outlined there. The only thing that has been said by the Governor is that a Minister and a Deputy Minister have been appointed. Well, Sir, we expect a doctor to be appointed to look after the health of the people; the Chief Minister surely will appreciate that particular point. In this particular case we do not find that persons appointed have had any particular experience in this delicate problem confronting the people who are undoubtedly behind us in material culture but who nevertheless have very valuable elements of culture which are to be conserved in the interest of national and cultural well-being.

One point which has been completely overlooked is the economic condition of these people, and nothing has been said about that. In Malda 90 per cent. of these people live by agriculture and agricultural labour. In Birbhum the position is even worse. It is 99 per cent. In Bankura it is 97, in Midnapore it is 99 and in Jhargram it is 96. Here are people—I am giving you figures on the basis of a survey which I had undertaken on behalf of the Government of Bengal and these are the only figures available—here are people who live mainly by agriculture and agricultural labour. How are we to improve their condition without changes in land law? I shall discuss this point in detail when I come to move my third amendment. Here I should add that the mere appointment of a Minister and a Deputy Minister will prove as infructuous as the appointment of a Special Secretary under the former Government of India Act under the British Rule. In those days we also had a Special Secretary, the Governor's Secretary, who was supposed to look after the interests of the tribal people.

toured a lot. But what did he tour for? In winter he went to the marshy areas of northern Bengal for duck-shooting; in summer he went to the Himalayan heights, to Darjeeling and other places, to enjoy the climate there at that time when the plains were very hot. So far as the tribals were concerned, his contribution was, I found, that he received an address, that a dance "tamasha" was organised every time that he went, and there the matter ended. The same thing is going to be repeated. Well, Sir, as my honourable friend has said, we seem to be going to replace the Secretary by Minister and Deputy Minister.

I shall now come to the last of my amendments with regard to irrigation projects and village and rural townships. No measures have been taken for land reforms without which irrigation projects and rural township plans cannot benefit a community. I find from this pamphlet that very nice things have been said about irrigation projects—it will render the land more fertile, about middle class people being settled who will benefit, about community development of blocks of villages, community centres, etc. As you are aware, Sir, part of these things are being financed by mortgaging of our national economy to foreigners. We have to be very careful about these matters. They are going, Sir, to settle middle class people in rural areas. Now that presupposes that the rural folk have been given power by means of development plans to buy the services of the middle classes and to purchase the consumer goods which the artisans and craftsmen should produce. What is the position of the villagers? I mentioned some data about only four subdivisions. You are aware that any peasant possessing less than five acres of land has no surplus left after meeting the primary needs of the family. If the area is below three acres, he just manages somehow, not in half-starved fashion but, I say, in four-fifths starved fashion, to drag on. From a survey carried out in 1944-45 I found that only 7.7 per cent. of the peasantry had more than 5 acres of land in 1945. In Tamluk it is 7.1 per cent., in Midnapore Sadar 8.3, in Bankura Sadar 8.0. There is a steady transfer of land from the poor to the rich peasantry as the following figures will show. I took the trouble of gathering these figures from the Inspectorate-General of Registration. Prior to the famine of 1943 it was 1 per cent. During the famine it rose to 3 per cent. There is no reason to assume that it has fallen below 1 per cent. So, the condition of the people is worse and the percentages which I have mentioned have decreased. So, will you be able to support community life with about 6 or 7, or at the most 5 per cent. in some areas, of people who have got a small surplus, if you dump there our middle class people and craftsmen? Sir, it may be said that irrigation projects are in air. But irrigation projects will benefit the people who own the land who will benefit from the extra crop that they will grow, not the people who do not own the land. You may mention that share cropping may perhaps help them a bit. If you refer to the report of the Indian Council of Agricultural Research, formerly known as the Imperial Council of Agricultural Research, you will find that the cultivator has to spend about 27 per cent. of the gross value of the crop on the cost of cultivation. His own labour represents about 25 per cent. more. Well, neglecting the 2 per cent., you will realise that 50 per cent. of the crop that he gets is just what enables him to pay off the out-of-pocket expenses and to keep himself employed. Where is the surplus, Sir? This is the position. You are going to finance plans for community development with foreign loans. It is like devising big irrigation projects, for instance, the Hirakud Dam Project, where the flow of the river has not been checked, but they are going to build a dam! Planning, without collecting essential details, planning without forethought will land you in the same type of difficulties as those of pre-fabricated housing factory of the Central Government or other such schemes. It is not a matter for us of opposition or criticism. It is our country and we have all got to put our shoulder to the wheel and to see that our people are prosperous and are happy.

I move, therefore, Sir, that these amendments be accepted.

Mr. CHAIRMAN: Sj. Annada Prosad Choudhuri.

Sj. DEBENDRA NATH MUKHERJEE: Sir, before he speaks, may I have your indulgence to postpone my address till the next day?

Mr. CHAIRMAN: Yes.

Sj. ANNADA PROSAD CHOUDHURI:

গত শতাব্দীর রাজ্যপাল মহাশয়ের যে অভিভাষণ আমরা শুনোঁছি তা শুন শুন যে নিরাশ হয়েছি তা নয়, মনে হয়েছে যে সেই অভিভাষণের মধ্যে যে সমস্ত কথা বলা হয়েছে, তা যেন রাজ্যপাল মহাশয়ের পূর্বাঙ্গীভাবের সঙ্গে সামঞ্জস্যহীন। যখন শুনলাম, এবং পরে যখন তাঁর অভিভাষণের ছাপা কপি হাতে পেলাম, তখন ভাল করে পড়ে মনে হলো—ইনিই কি সেই ডাঃ হরেন্দ্রনাথ মুখার্জি যাকে ২৫।২৬ বৎসর আগে দেখেছিলাম, যিনি তাঁর স্বল্প আয়ের অংশ থেকে জমা করে এক লক্ষ টাকা ইউনিভার্সিটিকে দান করেছিলেন।

[10-40—10-50 a.m.]

Sj. BIJOY SINGH NAHAR: On a point of order, Sir. Can an Hon'ble Member bring into discussion the personal privileges of His Excellency the Governor?

Mr. CHAIRMAN: Please stick to the point which you want to bring before the House relevant to the subject. There can be no personal reflection.

Sj. ANNADA PROSAD CHOUDHURI:

তখন মনে হয়েছিল যে, তিনি এখানে যেসব কথা বলেছিলেন, তা যেন গ্রামোফোনের মত অন্যের কথা তিনি আবৃত্তি করে যাচ্ছিলেন। শিক্ষা বিল হিসাবে শিক্ষা সম্বন্ধে তাঁর অভিভাষণে যা আশা করেছিলাম আমরা তা কিছুই পাইনি। এবং তিনি একজন শিক্ষক হয়েও, শিক্ষকদের দুরবস্থা সম্বন্ধে, তাঁদের দুঃখ-দুর্দশা দূর করবার জন্য, তাঁর অভিভাষণে কোন ইঙ্গিত আমরা পাইনি। এবিষয়ে পূর্ববর্তী বক্তা মহাশয় বলেছেন। এর পরে এবিষয়ে বিস্তৃত আলোচনা হবে, সুতরাং আমি এ ব্যাপার নিয়ে বেশী বলতে চাই না।

তিনি তাঁর অভিভাষণে “কটেজ ইন্ডাস্ট্রী” এবং “স্মল স্কেল ইন্ডাস্ট্রী”র তার একজন মন্ত্রীর উপর দেওয়া হয়েছে একথা বলেছেন। “কটেজ” এবং “স্মল স্কেল ইন্ডাস্ট্রী”র কথা আজ নয়, আমরা অনেক দিন থেকেই শুনছি। কিন্তু কার্যকরী পন্থা ও সংগঠনের অভাবে, বৎসরের পর বৎসর এ পরিচালনা গ্রহণ করা হলেও, এবং এর জন্য টাকা খরচ করা হলেও, তা কিছুই সফল হতে পারেনি। দু'একটি কুটির শিল্প সম্বন্ধে আমি আপনাদের কাছে নিবেদন করতে চাই, যেমন তাঁতি শিল্প। কৃষি ছাড়াও আমাদের দেশে এই তাঁতি শিল্পের প্রয়োজন খুব বেশী ছিল—তাতে তাঁতিদের অসংস্থানের একটা উপায় হবে বলে। তাঁতিরা সূতা পায় না, যে সূতা পায় তা দিয়ে তাদের এক মাসের কাজ চলে না। এখন কুটির শিল্পের উন্নতি করবার জন্য আমরা যদি একজন মন্ত্রীর পদ সৃষ্টি করি, এবং তারপরও যদি তাঁতি সূতা না পায়, এবং যদি সে বেকার হয়ে থাকে, তাহলে মন্ত্রী একজনের জায়গায় দশজন করলেও কুটির শিল্পের উন্নতি হতে পারে না। সেই রকম উত্তর-বঙ্গে মুর্শিদাবাদ এবং মালা জেলায় “সিরিকালচার”এর জন্য অর্থাৎ কুটির শিল্পরূপে রেশম শিল্পের উন্নতি-বিধান করবার জন্য কমিটারী নিয়োগ ও টাকা খরচ করা হয়। কিন্তু সেখানে যে রেশম উৎপন্ন হয়, সে রেশম বিদেশী রেশমের প্রতিদ্বন্দ্বিতায় টিকতে পারে না। জাপানী রেশম বিদেশ থেকে এসে এদেশ ছেয়ে গিয়েছে। এদিকে সেখানকার তাঁতিরা “সিরিকালচার” এর দ্বারা নিজেদের অসংস্থান করতে না পেরে বেকার হয়ে যাচ্ছে। সেদিকে আমরা দৃষ্টিপাত করি না। তারপর অনেকে এরকম বলতে পারেন, এবং আমরাও রিপোর্টে দেখেছি—মেয়েদের কাজ দেওয়ার জন্য গভর্ণমেন্ট “প্যাডি হাসকিং স্কিম” করেছেন। “প্যাডি হাসকিং”এর দ্বারা গভর্ণমেন্ট মেয়েদের অসংস্থানের পথ করে দিতে চান। ভাল কথা। অথচ গভর্ণমেন্ট যদি গ্রামে ধান ভানার কলের লাইসেন্স দেন, তবে ত গ্রামে বেকার মেয়েদের “প্যাডি হাসকিং”এর দ্বারা অসংস্থানের পথ হবে না। সেই রকম আমরা বলি যে গ্রামের ঘানির তেল খুব ভাল জিনিস—অনেক বেশী স্বাস্থ্যকর। বৈজ্ঞানিকেরা একথা বলে থাকেন। কিন্তু আমরা দেখি কি? একদিকে এই কুটির শিল্পের উন্নতির কথা বলা হচ্ছে, আবার তার পাশেই দেখি কলের ঘানি। তাহলে মনে হয়, যদি সত্য সত্যই আমরা কুটির শিল্পকে সমর্থিত করে, আমাদের দেশের কৃষকের অবসর সময়ে, তাদের আর একটা আয়ের পথ করে দিতে চাই যাতে তারা বাঁচতে পারে, এবং গ্রামও সমৃদ্ধ হতে পারে, তাহলে দৃঢ়হস্তে ন্যায়সঙ্গত পথে অগ্রসর হতে হবে। তা না হয়ে একদিকে ঘানির কথা বলি, আর একদিকে তেলের কল বসিয়ে দিই, একদিকে “স্পেসাল অফিসার এপয়েন্ট” করি, আর একদিকে কাপড়ের কল বসিয়ে দিই। এতে মনে হয় যে, হয় আমাদের নিজেদের মন পরিস্কার নয়, আর না হয় আমরা মনে করি যে, গান্ধী বলে গিয়েছেন “কটেজ ইন্ডাস্ট্রী”র কথা, তাই সেই কথা বলি, কিন্তু এবিষয়ে মনে মনে এখনও সন্দেহ।

রাজ্যপাল মহাশয় তাঁর অভিভাষণে বলেছেন যে তাঁর গভর্ণমেন্ট আমাদের দেশের স্বাস্থ্যের উন্নতির জন্য অনেক হাসপাতাল খুলেছেন, এবং এই হাসপাতাল বিভিন্ন জায়গায় হয়েছে, যেমন তিনি বলেছেন, “প্রেসিডেন্সি জেনারেল হাসপাতাল” দুঃখ “বেড”, এবং “প্রিন্স গোল্ডি মহম্মদ” হাসপাতালে দুঃখ “বেড”, নতুন খোলা হয়েছে, কিন্তু তিনি হয়ত জানেন না, এবং আমিও তাঁর অভিভাষণের মধ্যে দেখতে পাচ্ছি না যে, “লোক হাসপাতাল” যে ৭০০ “বেড” উঠে গেছে, সেই ৭০০ “বেড”এর জায়গায় ৪০০ “বেড” করা হলে, এবং ৩০০ “বেড” না থাকলে, দেশের লোকের চিকিৎসার যে কি অবস্থা হয়, তা সভাপতি মহাশয় আপনাকে বিবেচনা করতে বলছি। অবশ্য ৭০০ অক্ষ মিলে যেতে পারে যদি বলা যায় যে, “লেপার হাসপাতাল” গৌরীপুরের—

স্থানে ২০০ “বেড” করা হয়েছে, আর “ডিগরি”তে যে “টিউবারকিউলিসিস্ হসপিটাল” করা হচ্ছে, সেখানে এক শ’ “বেড” হচ্ছে, তাহলে অবশ্য ৭০০ “বেডের” সংখ্যা পূরণ হয়ে যায়। তা না হলে, কলিকাতা সহরে ৭০০ “বেডের” জায়গায়, ৪০০ বেডের ব্যবস্থা করলে, কি করে বলা যায় যে, সরকার চিকিৎসার জন্য যথাসাধ্য চেষ্টা করছেন এবং সেই কাজ সুদৃঢ়ভাবে করার জন্য ক্ষত্রীদল বৃদ্ধি করার দরকার হয়েছে?

[10-50—11 a.m.]

তারপর কলিকাতা শহর ত আমাদের দেশ নয়? আমরা এতদিন শুন আসছি, পল্লীগামই আমাদের দেশ। পল্লীগাম বাটলে আমাদের দেশ বাটে। কিন্তু সেই পল্লীগামের যখন ইউনিয়ন এবং থানা “হেলথ্ সেন্টারের” কথা বলা হয়েছে, তখন সত্য সত্যই অবস্থাটা কি তা বোধ হয় জানা ছিল না, বা এই রিপোর্ট লিখবার সময় সেই সব কথাই খোঁজ করে দেখা হয় নি। এই ইউনিয়ন এবং থানা “হেলথ্ সেন্টারের” পরিকল্পনার কথা ১৯৪৭ সালে সরকারের গ্রহণ করার কথা ছিল, বতশীয় সম্ভব ২,০০৮টী ইউনিয়নে, এক একটী “হেলথ্ সেন্টার” প্রতিষ্ঠার কথা, পল্লী অঞ্চলে স্বাস্থ্যের উন্নতি এবং চিকিৎসা করার জন্য। কিছু দিন আগে আমি জেনেছি যে ৪ বৎসরের মধ্যে মাত্র ১৫৯টী “হেলথ্ সেন্টার” প্রতিষ্ঠিত করা হয়েছে। যদি এই হারে চলে তাহলে, ২,০০৮টী “ইউনিয়ন হেলথ্ সেন্টারের”, এবং সংগে সংগে প্রত্যেক থানায় একটা করে যদি করতে হয় তাহলে আমাদের জীবনশয্যাই হবে না, অঞ্চ কষলে দেখা যায় ৫০ বৎসর লাগবে। তারপর রাজ্যপাল মহাশয়ের ভাষণে আছে যে কলিকাতায় নীলরতন সরকার হাসপাতালের সংগে এমন একটা “আউটডোর হসপিটাল” করা হয়েছে যা নাকি ভারতবর্ষের মধ্যে “ইউনিক্ অফ্ ইটস কাইন্ড”। কলিকাতায় এই একটা “ইউনিক্” ধরনের হাসপাতাল হল। আমি ত মেদিনীপুর জেলার ঘাটাল মহকুমার অধিবাসী, আর এটা যে একটা ভয়ানক ম্যালেরিয়াগ্রস্ত স্থান তা সকলেই জানেন। “গেজেটটার” এ লেখা আছে যে, ৭০ বৎসরের মধ্যে এই মহকুমায় চন্দ্রকোণার শতকরা ৬০ জন লোক মারা গিয়েছে। ৭০ বৎসরের মধ্যে ম্যালেরিয়ায় যা নাকি “বার্ডওয়ান ফিভার” বলে খ্যাত, তাতে শতকরা ৬০ জন মারা গিয়েছে। সেই থানার ১টা ইউনিয়নে, ৩টা মিউনিসিপ্যালিটি, ও ১২টা হেলথ্ সেন্টার, স্থাপন করার কথা হয়। সেই ১২টার মধ্যে, আজ পর্যন্ত ৪ বৎসরে, মোটে ৬টা হয়েছে। আর ৬টা যে কবে হবে সেই ম্যালেরিয়াগ্রস্ত স্থানে, তা বলতে পারি না। আর যে ৬টা হয়েছে সে সবথেকে আমি যা বলছি তা যদি স্বাস্থ্য মন্ত্রী মহাশয় স্বয়ং উপস্থিত থেকে শুনতেন তবে খুব ভাল হত। এগুলো কার্যক্ষেত্রে কি রূপ নিয়েছে তা তিনি শুনতে পেনেন। তবে প্রফুল্লবাবু নোট নিচ্ছেন। আশা করি তিনি স্বাস্থ্য মন্ত্রীকে জানানবেন। সেই ৬টা “হেলথ্ সেন্টারের” মধ্যে রামজীবনপুরে একটা “হেলথ্ সেন্টার” হ’ল এপ্রিল মাসে। রোগী ভর্তি করার কাজ আরম্ভ হয় জনস্বাস্থ্য মন্ত্রীর মাঠে। ১৬ই জানুয়ারী মন্ত্রী নিকুঞ্জবিহারী মাইতি মহাশয়, হাসপাতাল “ইনস্পেকসন” কোবে লিখে এলেন যে, হাসপাতালের কাজ চালু হয়নি। দেওয়াল, মেঝে, ফেটে গিয়েছে। আমার গ্রাম দ্বীপবাড়ী—তাতে ১০টা বেড আছে; হাসপাতাল আরম্ভ হল কিন্তু দেওয়াল ও মেঝে এমনই খারাপ যে ডাক্তাররা ভয় খেলেন রোগী ভর্তি করতে। তাবপরে সেটা ভেঙে নতুন করে মেরামত করতে হল। আবার কিছুদিন আগে একটা বড় হল। সে গ্রামের লোকের ঘব বাড়ীর কিছুই হল না, কিন্তু এমনই মজবুত করে হাসপাতালের চালা তৈরী করা হয়েছিল যে, সে চালা উড়ে গেছে, সেখানে রোগী ভর্তি করা হয় না। ৬টার মধ্যে ৩টা এই রকম। ভগবানপুরে ৪ বেডের একটা হাসপাতাল তৈরী হয়েছিল। সেখানকার “স্টাফ”এর ঘরের চাল উড়ে গেছে। সেই “স্টাফ” এসে “ইনডোর” হাসপাতালে বাস করছে। ছত্রগঞ্জে চন্দ্রকোণা থানার আর একটা হাসপাতাল, সেখানকারও চালা উড়ে গেছে, কেউ মেরামত করেনি। যদি ৬টা হাসপাতালের অবস্থা এই হয়, তাহলে পল্লী অঞ্চলের স্বাস্থ্য ব্যবস্থা প্রসার লাভ করেছে বলে, আজ রাজ্যপালের গভর্ণমেন্ট আশ্বপ্রসাদ লাভ করতে পারেন, কিন্তু বাস্তবিক রূপটা কি তা সহজেই অনুমান করা যায়।

তারপর ঘাটাল থানার খাসপাড় নামক গ্রামে, একটী বৃদ্ধ, গ্রামে ইউনিয়নে হেলথ্ সেন্টার হবে বলে, কয়েক হাজার টাকা দান করেছেন। বাড়ী তৈরী হবে, কাজ আরম্ভ হবে। তার বন্ধুরা বহুবার জানিয়েছেন যে, দাতার জীবনশয্যাই হাসপাতাল চালু দেখে যেতে পারলে তিনি খুসী হবেন। কিন্তু কবে যে হবে তা জানি না।

তারপর স্বাস্থ্য এবং চিকিৎসা প্রসারের কাজ কি রকম দেখুন। ঘাটাল একটা ম্যালেরিয়াগ্রস্ত মহকুমা। তাতে ২৩টা বেডের একটা হাসপাতাল আছে। প্রায় ১০ বৎসর হ’ল “স্পেশাল অফিসারের” পর “স্পেশাল অফিসার” গিয়ে দেখে এসে বলেছেন যে, হাসপাতালটা বড় করা উচিত। জায়গার অভাবে বড় করা যায় নি। তারপর, একটা জায়গা ঠিক হ’ল। প্রধান মন্ত্রী মহাশয়ের অফিস থেকে খবর গেল স্থানীয় লোকেরা যদি ১ লক্ষ টাকা সংগ্রহ করে দেন ত, গভর্ণমেন্ট ৬ লক্ষ টাকা খরচ করে, বড় করে ১৫০ বেডের হাসপাতাল করে দেবেন। আমি প্রধান মন্ত্রী মহাশয়ের কাছে কিছু দিন আগে বললাম যে, আমাদের আত্মীয়দের কাছ থেকে এবং দাসপুরের কাছ থেকে সংগ্রহ করে অত টাকা করতে পারব না। ৫০ হাজার টাকা এখন করে দিন। তিনি রাজী হওয়ায়, ৫০ হাজার টাকা তোলা হ’ল। “এস, ডি, ও”, অর্থে ভাড়া নিলেন, আর আমি অর্থে ভাড়া নিলাম। ১০ হাজার টাকা ষোগাড় হয়েছে, তখন খবর হল, পুরান হাসপাতালটার জমি ও বাড়ী মিউনিসিপ্যালিটির যে জায়গায় ছিল, সেটা গভর্ণমেন্টকে লিখে না দিলে তাঁরা হাসপাতালের কাজে হাত দেবেন না; অর্থাৎ জমি ও বাড়ী বিক্রী করে টাকা না পেলে, গভর্ণমেন্টের যেন আর টাকা নাই। এর জন্য সেখানে হাসপাতাল করার কাজ আর অগ্রসর হ’তে পারে নি। যে গভর্ণমেন্ট বলেন যে, জনসাধারণের কাছ থেকে কিছু টাকা না পেয়েও নীলরতন সরকার হাসপাতালের সংগে একটা “আউটডোর হসপিটাল” করা হয়েছে—“ইউনিক্ অফ্ ইটস কাইন্ড ইন ইন্ডিয়া”, তারাই আবার এই পল্লীগামের লোকের কাছে বলেন যে, “পাউন্ড অফ্ ফ্রেস” অর্থাৎ জমি ও বাড়ী লিখে না দাও ত, যত টাকা আদায় করতে পার কর, নতুবা ম্যালেরিয়ায় ভুগে মর, আর বাঁচ, তোমাদের জন্য হাসপাতাল করতে পারব না।

তারপর আর একটা কথা বলে, স্বাস্থ্য সম্বন্ধে আমার বক্তব্য শেষ করব। “ইউনিয়ন”এ “হেলথ্ সেন্টার” হয়েছে। তাতে ৪টা করে রোগী থাকতে পারে, কিন্তু বাহিরে রোজ প্রায় ১২০ জন রোগী আসে। সেখানে কম্বিচারী মাঁহিনা ১০০ টাকা, এবং কুইনাইন ছাড়াও সেখানে কিছু ঔষধ দেওয়া হয়, বৎসরে ৩০০ টাকার

মত অর্থাৎ মাসে ২৫ টাকা, এবং সপ্তাহে একদিন কোরে হাসপাতাল বন্ধ থাকলে পর, রোজ এক টাকা। সভাপতি মহাশয়! আপনাকে এখন বিবেচনা করতে বলি, এলোপ্যাথিক ঔষধ ১ টাকায় কি পরিমাণ হয়, এবং তাতে কত জল মিশালে, এক শ' বা ১২৫ জন রোগী অসুখে ঔষধ পায়। এই যদি প্রকৃত অবস্থা হয়, এবং তাতে কোরে যদি আজ রাজ্যপাল মহাশয়ের গভর্ণমেন্ট মনে করেন যে, আমরা স্বাস্থ্য এবং চিকিৎসা সম্বন্ধে ব্যবস্থা করবার জন্য দরাজ হাতে লেগে গিয়েছি, এবং তার জন্য আমাদের এই “স্টাফ”এ কুলাচ্ছে না, এই অজুহাতে বলেন যে, আমাদের আরও কয়েকজন মন্ত্রী দরকার, তাহলে তা দরকার কিনা, সেটা আমাদের দেশের লোক বিবেচনা করবেন।

তারপর “কন্ট্রোল”এর কথা বলি। রাজ্যপাল মহাশয়ের অভিভাষণে সে বিষয়ে কোন উল্লেখ দেখি না। আমরা জানি কন্ট্রোলের দৌলতে ইদানীন্তন জীবনের সমস্ত ক্ষেত্রে যেন ঘূর্ণ ধরে গেছে। আমাদের সমাজের ছোট ছেলে মেয়ে, বড়ো বড়ী, সব যেন চোর, আর ঘৃণ্য হয়ে গেছে। এখানে খাদ্যমন্ত্রী মহাশয় বসে আছেন, যিনি চোরা কারবার চলে কি না তার কিছুই জানেন না, কিন্তু আমাদের সৌভাগ্য, এই কয়েক দিন আগে, চার দিনের জন্য, “সেন্টার”এর খাদ্য মন্ত্রী ‘রাফ আমেদ কিদোয়াই’ সাহেব এসেছিলেন, এবং তিনি বলেছেন, যাদবপুরে ১১ (পাঁচ সিকা) দরে রোজ ৪।৫।৬ হাজার মণ চাউলের চোরা কারবার চলে। আমাদের জীবনের সমস্ত ক্ষেত্রে যে রকম ভাবে দুর্নীতি প্রবেশ করেছে, তা দূর করবার জন্য একটা কথাও ঐ অভিভাষণের মধ্যে আমরা শুনিনি। তবে হয়ত এমন হতে পারে যে, এখানকার রাজ্যমন্ত্রী মহাশয়ই যখন চোরা কারবারের কথা কিছুই জানেন না, তখন ঐ অভিভাষণে চোরা কারবারের অস্তিত্বের কথা বলার কোন কারণই উঠতে পারে না। আমি মন্ত্রীমহাশয়কে একটা কাগজ পড়ে শুনাই, তাতে তিনি জানতে পারবেন—চোরা কারবারের একটা “ইনস্ট্যান্স”। আমি এরকম বহু বলতে পারি। এতে একজন সরকারী কর্মচারী তার একজন চাপরাশী, এবং একটা “পারমিট হোল্ডার” কি ভাবে লিখত, তা বুঝতে পারবেন। এই রকম যদি চলতে থাকে, তাহলে দেশের যে কত বড় দুর্বস্থা, সে সম্বন্ধে যাতে সরকার অবহিত হন, সেইজন্য সেই সম্বন্ধে বলছি। আমি অংশ বিশেষ থেকে পড়ে শোনাইছি। ঘাটালের “ইন্সপেক্টর অফ ফুড” শ্রীযুত “এ. এন. গোস্বামী”, ১৮ই মে, এই রিপোর্ট দিয়েছেন, “সার্বভিভসনাল অফিসার, ঘাটাল”এর কাছে—

“With reference to S. C. F. memo. No. 1216G.F.O., dated 10th June, 1952, Your Honour, in obedience to above memo. I proceeded to Doodkamrahat on 14th February, 1952, night, in order to ascertain from the account books of baker Sri Kanai Lal Chaki, 12B-OB flour and at 12th May, 1952, from local enquiry, it was gathered that the baker never runs his bakery. He had the quota, the products of which were never seen for sale or exhibited for sale in any local market.”

[11—11-10 a.m.]

তিনি ঘাটালে ফিরে গেলেন তারপর “বেকার” কনাইলাল বাবুকে ডাকলেন।

“After interrogation Kanai admitted that he never runs any bakery but he gets the quota by the kindness of the Subdivisional Controller (Food), Ghatal, and in recognition of which Kanai supplies butter, sweets, khir, etc., from time to time through his orderly Pashupati Maiti. This Pashupati, it may kindly be noted, also managed to secure a quota of sugar for his newly-started stall 98T, which is by the side of the Supply Office, some time last year in the *benami* of his minor brother-in-law.”

তারপরে আর একটা বিষয়ের কথা বলি। এই যে “মুভমেন্ট”—ধান চাল চলাচলের জন্য, যে “করভনিং” ব্যবস্থা, সেজন্য “পেট্রল গার্ড” নিয়োগ করেছেন। যখন কোন লোক চাল ধান নিয়ে যেতে চায়, তখন এই “পেট্রল গার্ড” আটকাবে, তাদের সঙ্গে সাধারণতঃ ধনুতাদ্বন্দ্বিত, ঝগড়াবিবাদ হয়। তার ফলে, যদি কোন লোক বা “স্মাগলার” আঘাত পায়, এবং সে যদি “পেট্রল গার্ড”এর নামে মামলা করে, তাহলে সেই “পেট্রল গার্ড”কেই খরচ কোরে সেই মামলা চালাতে হয়। সে যদি জেতে, তাহলে ৬ মাস পরে খরচটা গভর্ণমেন্টের কাছ থেকে পায়। এ অবস্থায় “পেট্রল গার্ড” সহজেই মনে করতে পারে, তার পক্ষে এত ধনুতাদ্বন্দ্বিত করা, এবং ঘরের পরস্যা খরচ কোরে মামলা করার দরকার কি। তার চেয়ে ওর ত এক টাকা পেরে এক টাকাই লাভ। তেমনি বাবা ধান চাল যেখানে পার নিয়ে যাও। কাজেই সরকারের এই যে ব্যবস্থা আছে, আর এই “করভনিং” কোরে যদি সভ্য সভ্য ধান চাল আটকাতে চান, তাহলে এই “করভনিং অফিসার” বা “পেট্রল গার্ড” সম্বন্ধে যে নিয়ম আছে, তার পরিবর্তন না হওয়া পর্যন্ত, “পেট্রল গার্ড”রা তাদের কাজ করতে পারবে না।

তারপরে আমি বলতে চাই, রাজ্যপালমহাশয় অভিভাষণে বলেছেন যে, এই যে মন্ত্রিসভা তিনি ব্যাঁড়িয়ে দিয়েছেন তার দরকার ছিল। কেননা এই মন্ত্রিদল “ডেভলপমেন্ট”এর কাজ করবেন, যেন “ডেভলপমেন্ট”এর কাজ শূন্য পটভূমিতেই হবে, তার এই ১৩টা জেলাতেই হবে, যেন “ইউ. পি.”র ৪৮টা জেলাতে হবে না, যেন বোম্বাইয়ে যেটা শূন্য আয়তনে বড় না, যেখানে তিনরকম “লিগেজিটিমিস্টস্” আছে—যেটা গুজরাটী, মারাঠী, কানারী, এই তিন রকম ভাষাভাষীর প্রদেশ—সেখানে হবে না। সেখানে যদি ১টি মিনিষ্টার ও ৬টি ডেপুটি মিনিষ্টার নিয়ে কাজ চলে, তখন এখানকারমত ক্ষুদ্র প্রদেশের জন্য ৩০ জন মন্ত্রী উপ-মন্ত্রীর কি প্রয়োজন, বুঝি না। আবার শুনছি, এই ৩০ জনের উপর আবও নাকি ১৫।১৬ জন বাড়বে। তবে আগে আমাদের ৮০।৮১ জনের হাউসে, যখন ২৪ জন মিনিষ্টার ও পার্লামেন্টারী সেক্রেটারী ছিলেন, তখন সেই অনুপাতে, এখন ৭০।৭৫ জন হতে পারে। রাজ্যপালমহাশয় মনে করেন, এই “ডেভলপমেন্ট প্রোগ্রাম”এর কাজের জন্য নাকি এতজন মন্ত্রীর দরকার। আগে লীগের আমলে দেখছি “ডেভলপমেন্ট প্রোগ্রাম”, “মার্টিস্টিকেনস প্রোগ্রাম”, কিন্তু

আজ পর্যন্ত এখানে “ফুড্ মাল্টিপ্লাসেসন প্রোগ্রাম”এ টাকা খরচ হয় নি। কিন্তু এখন এখানে দেখছি “মিনিষ্টার্স মাল্টিপ্লাসেসন প্রোগ্রাম”—তা সেটা দিয়ে কাজ হোক, আর নাই হোক। তারপরে “ট্রেনিং” দেওয়া হবে বলা হচ্ছে। আমরা জানি সরকার বা বেসরকারী লোকেরা, ছাত্রদের বিদেশে পাঠিয়ে দেন, সেখান থেকে শিখে এসে এখানে কাজ করবে, এইজন্য। কিন্তু এখানে তা নয়। এখানে আগে শিখে যাও। সেই শিক্ষা পাবার পরে—৫ বৎসর পরে—খরচ নেওয়া হচ্ছে এরা আবার আসবেন এবং সেই শিক্ষা কাজে লাগাবেন। এখন খরচের কথা বলা হচ্ছে। কেউ বলেন, এজনা ৩ লক্ষ টাকা খরচ হবে, আমি জানি এক-একজন মন্ত্রীর জন্য কম-সে-কম ১ লক্ষ টাকা খরচ হবে। এঁদের মাহিনাটাইত সব নয়। যে দিন মন্ত্রী হলেন, সেইদিন থেকেই চাপরাশী, প্রাইভেট সেক্রেটারী, বাড়ী, গাড়ী—নানারকম জিনিসের দরকার। তারপর তিনি যখন বাহিরে যাবেন তাঁর “সিকিউরিটি” হিসাবে তাঁর সঙ্গে দেহরক্ষী চাই এবং যেখানে যাবেন সেখানে দেহরক্ষীর জন্য অফিসার আনতে হবে। এইসব খরচ যোগ করলে, দেখা যায় প্রত্যেক মন্ত্রীর জন্য, এক লক্ষ টাকা বা ৭৫ জন মন্ত্রী উপ-মন্ত্রীর জন্য ৭৫ লক্ষ টাকা, অন্ততঃপক্ষে ৩০ লক্ষ টাকা খরচের জন্য আগে প্রস্তুত হতে হবে। তারপর এই যে “ডেভেলপমেন্ট”এর টাকা—এটা আমরা “সেণ্টার” থেকে। আমি জানি “ডেভেলপমেন্ট”এর টাকা “সেণ্টার” থেকে পাবার আশা ছিল, আমরা বাজেট করেছি, তারপরে “সেণ্টার” দেয় নি। একটা টাকা দেবার কথা ছিল, তারপর বলেছে এত পারব না, কামিয়ে দেব, কিন্তু যদি কোনরকমে আরও কমে যায় বা যদি কোন কারণে না পাওয়া যায় তাহলে অন্ততঃ আমরা খরচ করার জন্য ত “কমিটেড” হয়ে রইলাম, তারপর “ডেভেলপমেন্ট” কি হবে না হবে জানি না। তবে “মিনিষ্টার্স ডেভেলপমেন্ট” চলতে থাকবে। আর একটা কথা বোলে বক্তৃতা শেষ করব।

রাজ্যপালমহাশয় তাঁর অভিভাষণে বলেছেন যে, এই যে ডেপুটী মিনিষ্টার যা কোরেছেন, সে সম্বন্ধে বলেছেন, “মাই ডেপুটী মিনিষ্টার্স রিপ্রেজেন্ট এ কেয়ারফুল চোজেন টিম অফ মেন এন্ড উইমেন”। অনেকে আছেন যাদের আমি জানি না। অবশ্য কেউ মেম সাহেব নিয়ে স্ফুর্তি করতে গিয়েছেন এবং মোটর চড়ে ফেরার সময় ধরা পড়ে হাজতে গিয়েছেন—তাঁদের কথা বলি না। কেউ হয়ত “কর্ডন পেট্রল গার্ড”এর দরুন ৭০ হাজার টাকার ঠিকমত হিসাব দিতে পারেন নি, তাঁর কথা বলব না। কেউ হয়ত মিনিটে মিনিটে সিগারেট খেয়ে মফঃস্বলে গণসংযোগের কাজ করতে যান, তাঁর কথা বলব না। আমি বলতে চাই, একজনের কথা যিনি ১৯৪১ সালে “প্রসিকিউটেড” হয়েছিলেন, “ফর রাভিসিং এ ডাম্ব গার্ল”। ১৯৪১ সালে সাহিত্য পরিষদের বাৎসরিক উৎসব মৌনদীপুরে সহরে হয়েছিল। সে উপলক্ষে নানা জায়গা থেকে প্রদর্শনীর জন্য জিনিষপত্র আসে এবং “ডেমন্সট্রেশন”এর জন্য ছেলেমেয়েদের পাঠায়। নারীকল্যাণ আশ্রম থেকে ৩টি মেয়ে তথাকার একটি সরকারী লোকের চার্জের আসে। দুটি মেয়ে প্রদর্শনীতে যায়, একটি মেয়ে অসুস্থ হওয়াব জন্য বাড়ীতে ছিল। তখন একজন তার উপর বলাৎকার কোরে বসে। সেজন্য, একটা চাপুল্যকর মামলার সৃষ্টি হয়। সেই যে মামলা হয়, তার ফলে সেই মন্ত্রিমহাশয়কে মচলেকা দিতে হয়। সেই মচলেকা দেওয়ার ফলে, স্বর্গীয় মম্বথ বোস উকিল মহাশয় তাকে সঙ্গে কোরে নিয়ে গিয়ে জানান, ডিস্ট্রিক্ট ম্যাজিস্ট্রেটের কাছে। মচলেকাও নিয়ে গিয়েছিলেন।

Mr. CHAIRMAN: Personal references are not in order, neither reflections on the Ministers. Have these anything to do with the administration?

Sj. ANNADA PROSAD CHOUDHURI: আমি কোন নাম বলি নি।

On this depends, Sir, the tone of the administration and what class of people is going to administer.

Mr. CHAIRMAN: How is it connected with the administration just at the present moment? They are responsible for the administration primarily.

[11-10—11-20 a.m.]

Sj. DEBENDRA NATH SEN: If that reference to a particular person is corroborated by court evidence, then also, Sir, will you not allow it? The thing is not based on rumour. It is corroborated by court evidence. We would like to know the name.

Mr. CHAIRMAN: Personal charges cannot be a matter of debate in a situation like this.

Sj. DEBENDRA NATH SEN: Sir, it is not a personal charge. It is a charge through the court and brought before us through the court.

Mr. CHAIRMAN: It is not relevant in this case.

Sj. NIRMAL CHANDRA BHATTACHARYYA: Sir, so long as a particular person's name is not mentioned I think Mr. Choudhuri is perfectly in order to mention the charges and the nature of the conviction.

Sj. BIJOY SINGH NAHAR: Chairman has given his ruling. Can you discuss it after that?

SJ. NIRMAL CHANDRA BHATTACHARYYA: Sir, is it your ruling?

Mr. CHAIRMAN: If this goes on, there might be charges and counter-charges and there will be a lot of acrimony brought into the debate. It is not permissible, nor is it desirable. Honourable member may kindly confine himself to matters concerning administration.

SJ. DEBENDRA NATH SEN: Sir, my point of order has not been answered. If a member of this House is convicted in a court, can we make no reference to the point? Does it come within the purview of the rules that you have mentioned?

Mr. CHAIRMAN: It is a matter of privilege for the House. If it is desired, a separate resolution might be brought forward condemning the person concerned.

SJ. ANNADA PROSAD CHOUDHURI:

আমি মনে করি, এরমধ্যে যে কথা বলা হয়েছে, “মাই ডেপুটি মিনিষ্টার্স রিপ্রেজেন্ট এ কেরারফুল চোজেন টিম অফ মেন এন্ড উইমেন”, সে সম্বন্ধে আমি বলতে চাই যে, কিরকম লোক এসেছেন এবং যারা আমাদের গভর্নমেন্টের কাজ চালাবেন তাদের মনোনয়নের প্রতিক্রিয়া আমাদের দেশবাসীর উপর কিরকম হতে পারে। আমি কোন ব্যক্তি বিশেষের নাম বলি নি। আমি বলেছি একজন উপ-মন্ত্রীর কথা যার জন্য এইরকম ঘটনা ঘটেছে। সেইরকম উপ-মন্ত্রী যদি “চোজেন টিম অফ মেন” এর মধ্যে হয়, তাহলে তার প্রতিক্রিয়া আমাদের জনসাধারণের উপর কিরকম হবে। আমি বলতে চাই যে, আমাদের যে মন্ত্রীসভা গঠন করা হয়েছে তা কিরকম “চোজেন টিম অফ মেন” নিয়ে। আর এ যে ঘটনা ঘটেছিল তা সকলেই জানে। আমাদের রাজ্যপাল মহাশয়ের যিনি সেক্রেটারী, সেই সেন মহাশয় যিনি মেদিনীপুরের জেলা ম্যাজিস্ট্রেট ছিলেন, তিনি জানেন।

Mr. CHAIRMAN: Please go on to the other parts of your amendment. I do not think it would be serving any good purpose to discuss that aspect.

SJ. NIRMAL CHANDRA BHATTACHARYYA: Sir, the inclusion of such a person in the Ministry reflects discredit on the entire Ministry and on the entire Governmental system. It is for this reason I say Mr. Choudhuri is perfectly in order in referring to this particular case. It is our duty to see to it that no such persons are included in the Ministry. It is the privilege of this House and the duty of this House to guard the honour and dignity of the Ministry as a whole and if anything happens which is likely to take away from the honour and dignity of the Ministry it is our duty to point it out clearly on the floor of the House.

Mr. CHAIRMAN: The Parliamentary Practice and Procedure is to refer only to those matters which are connected with administration. As such I think the honourable member might speak without any reference to a personal matter and without making personal charges.

SJ. DEBENDRA NATH SEN: Sir, on a Point of Privilege. Sir, if in the course of discussion it is revealed that a particular person and a Minister at that is involved in a court case of a very serious nature and has been convicted, then is it not the privilege of this House to point that out?

SJ. BIJOY SINGH NAHAR: There was no conviction at any time.

SJ. NIRMAL CHANDRA BHATTACHARYYA: There was *muchilekha*.

SJ. BIJOY SINGH NAHAR: There was no *muchilekha*.

SJ. ANNADA PROSAD CHOUDHURI: Unless the file be missing.

Mr. CHAIRMAN: I think it would not be relevant in this connection, but if there is some other resolution separately that might be different. In this connection it is not relevant.

SJ. ANNADA PROSAD CHOUDHURI:

“মাই বাউ ডাউন টু ইউর রুলিং”। হয়ত আমি “ইরেলোভ্যান্ট” কিছু বলেছিলাম। আমি বলতে চেয়েছিলাম এই কথা যে, মন্ত্রীসভা এমন লোকের দ্বারা গঠিত হউক, যারা জনসাধারণের মধ্যে গিয়ে তাদের ভিতর আস্থা ও উৎসাহ সঞ্চার করতে পারবেন, এবং তিনিও জনসাধারণের

সাহায্যে তাঁর “ডেভলপমেন্ট প্রোগ্রাম” খুব দ্রুত গতিতে চালিয়ে যেতে পারবেন। আমি সেইজন্য বলছি যে সে কাজ ব্যাহত হবে, যদি এইরকম ধরনের লোক জনসাধারণের মধ্যে “ডেভলপমেন্ট প্রোগ্রাম”কে ঘরান্বিত করবার জন্য যায়। আমি কারণ নাম কোরে বলি নি।

SJ. BIJOY SINGH NAHAR:

সুন্দর গল্প বলছেন।

SJ. ANNADA PROSAD CHOUDHURI:

গল্প বলছি না, শুচলেকা দেওয়া আছে। তবে যদি সরকারী ফাইল হারিয়ে যায় তা বলতে পারি না।

SJ. BIJOY SINGH NAHAR:

আগে থাকতেই মেনে নিয়েছেন ফাইল হারিয়ে যাবে।

SJ. ANNADA PROSAD CHOUDHURI:

আমার যা বক্তব্য বললাম, এর বেশী আর বলব না।

Mr. CHAIRMAN: Sj. Durga Kinkar Bhattacharjee.

SJ. MOHITOSH RAI CHOUDHURI: Before the other speaker speaks, may I ask you, Sir, to request that Ministers be present in the course of the debate. In the debate on the Governor's Speech the entire sphere of administration is surveyed and criticised and it is extremely desirable that the different Ministers should be present in the House to listen to the debate, to note the points of criticism made by the different speakers. This morning we found the Chief Minister present and we expected that he would sit through the session. Will you, Sir, kindly request the Chief Minister and other Ministers to grace us with their presence every morning? After all it would not be very much exacting for them to do, for we would not be sitting for more than five days and two hours every day means ten hours. If they can sit through the proceedings of the Lower House all the days, then is it not meet and proper—is it not reasonable that they should favour us also with their presence? Of course, I have put it in that way “to favour us” but my friend behind me points out that it is their duty to be present; they are paid for it. I know that none of them will care to go through the speeches which are being made. I know that from my past experience.

Mr. CHAIRMAN: I understand you, Sj. Mohitosh Rai Choudhuri. According to the procedure, the Leader of the House has taken full notes.

The other Ministers will know what is said here and they will reply accordingly.

SJ. DEBENDRA NATH SEN: Sir, the Point of Order refers to this fact that various aspects of problems are discussed and the Leader of the House is connected only with one department—is he competent to reply on behalf of, say, the Public Health or Medical or Education Department. That raises very great difficulty, and the House is reduced to a good deal of unreality. Sir, why do you not requisition the presence of the Ministers?

Mr. CHAIRMAN: Mr. Sen is an old Parliamentarian and he will take proper notes. He will place them before the respective Ministers and it would be their duty to reply to these points.

[11-20—11-30 a.m.]

SJ. DEBENDRA NATH SEN: We understand, Sir, that when the replies are given, they will attend, or will they again delegate that work also to some one else?

SJ. BIJOY SINGH NAHAR: They are a Council of Ministers and anybody can reply to all the charges.

Mr. CHAIRMAN: Generally the respective Minister will reply and if necessary, he may reply through his colleagues.

SJ. NIRMAL CHANDRA BHATTACHARYYA: The Ministers constitute a veritable brigade but very few of the brigade are present this morning. You have referred to the Leader of the House, Sj. P. C. Sen. He is supposed to be a veteran Parliamentarian and as a veteran Parliamentarian, I have no doubt that he knows that it is the duty of the Ministers to be present when the discussion takes place on the floor of the House. If they are not present, we discuss it in an atmosphere of unreality. As my friend has pointed out the Ministers are paid for it and I do think that they are failing in their duty when they do not attend the meeting of the Legislative Council or of the Legislative Assembly.

Mr. CHAIRMAN: You cannot compel a Minister to be present as long as the Leader of the House is present and on behalf of them takes notes of the speeches made here and it is for the respective Ministers to reply either by themselves or in consultation with their colleagues or through other Ministers.

SJ. NIRMAL CHANDRA BHATTACHARYYA: We would like to hear what the Leader of the House has got to say in reply to the arguments that we have advanced.

SJ. PRAFULLA CHANDRA SEN: I am listening attentively to every member and I am taking notes also. Other members are also taking notes and these things will be placed before the respective Ministers and they will be asked to come here and reply to the points raised by Hon'ble Members or the Ministers may ask me to reply on their behalf.

SJ. DURGA KINKAR BHATTACHARJEE: Mr. Chairman, Sir, as a representative of the teaching community of this State, I find it really surprising that our present system of education has not come under the review of His Excellency. I feel, Sir, that this silence is eloquent and it completely reveals the present Government in its true complexion. It is curious, Sir, that a Government that professes itself a National Government and that waxes eloquent over one hundred and one plans and programmes of development are keeping absolutely mum on the question of education. This studied reticence on the part of His Excellency, Sir, has probably sprung from an unwholesome desire to keep education in his fetters—fetters designed by our British masters. Sir, who does not know that our present system of education is rotten to the core. It is wedded to principles that are absolutely outmoded and it requires thorough and immediate overhauling. Do the present Government, Sir, I would like to ask you, propose to keep the masses eternally illiterate, bound to a moribund social and economic structure for the sake of their own interests; if not, why education has been relegated to such an unimportant place and why education has got no room whatsoever in our plans of development? Sir, you certainly as a veteran teacher know that these are the questions which have grown into stupendous proportions, whether the recommendations of Radhakrishnan Committee will be implemented or not, whether the beggarly pretences doled out to the teachers in the form of dearness allowance should be substantially enhanced or not, whether the fruitful avenues of vocational and technical education should be opened to the young generation hungry for employment, whether a comprehensive plan of man-making and life-centric education should be enunciated in the near future, whether the unnecessary triple control of the education directorate, the inspectorate and the Board should be abolished and the money thus saved should be more profitably utilised for the betterment of the condition of the teaching community thereby saving the appalling waste of human material year after year—I mean the high percentage of failure of students at the examinations. Now these are the questions which really speaking have grown into stupendous proportions and they demand a very prompt and immediate answer and we expected replies to these from our teacher Governor. Unfortunately it is a tragic irony indeed that our teacher Governor has made no reference whatsoever to any proposals for the

renovation of the much neglected education and he has not a single word of sympathy and assurance for the unfortunate teachers of this State. In this respect, His Excellency's speech has disappointed me and the entire teaching community, and it might have disappointed you too, Sir, as a teacher. With these words I resume my seat.

SJ. MOHITOSH RAI CHOUDHURI:

“স্যার”, অতীত স্কোভের সঙ্গে আমি গভর্ণরকে অভিনন্দনসূচক যে প্রস্তাব উপস্থাপিত হয়েছে, তার “এম্‌ডেমেন্ট” করতে বাধ্য হচ্ছি। আমি জানি যে এই গভর্ণরের “স্পীচ”এর বিভিন্ন অংশের সমালোচনা আমার অন্যান্য বন্ধুগণ করবেন এবং হয়ত আমি সেইসব বিষয় বলতে গেলে তাদেরই কথার পুনরাবৃত্তি ছাড়া আর কিছু করবো না। সেইজন্য আমি বিশেষ উদ্দেশ্য নিয়ে শ্রদ্ধা গভর্ণরের “স্পীচ”এর দুটো বিষয়ে আমার যা বক্তব্য তা আপনাকে নিবেদন করবো। এইজন্যই আমি আমাব “এম্‌ডেমেন্ট”টি শ্রদ্ধা শিক্ষা ও “ইন্ডাস্ট্রি” বিষয়ের উপর সীমাবদ্ধ রেখেছি। আরেকটি বিষয়ও আপনি দেখবেন। আমার “এম্‌ডেমেন্টে” সংস্কারের জন্য যা দরকার তা কিছুই আমি অস্পষ্ট রাখি নি। কারণ আমি জানি আমরা যে সমস্ত বক্তৃতা এখানে করছি “লিডার অফ দি হাউস মিঃ সেন” যতই নোট নিন না কেন, যতই সেই বক্তৃতা সংশ্লিষ্ট মন্ত্রীমহাশয়ের কাছে পৌঁছে দেন না কেন, মন্ত্রীদের সকলের পক্ষে যত্ন করে সে সব পড়ার সময় বড় কষ্ট হয়। সুতরাং অধিকাংশ সময়ই এই ব্যবস্থাপক সভার সভ্যদের বক্তৃতা অরণ্যে রোদনে পর্যাবসিত হবে। সেইজন্য প্রথমেই মন্ত্রীদের আমি অনুরোধ করেছিলাম আমাদের যা বক্তব্য সেটা দয়া করে এসে শুনে যান, অধিকারের কথা আমি কিছু বলি না, মাষ্টার মানুষ আমি। অন্যান্য রাজনৈতিক নেতা যারা উপস্থিত আছেন—তারা অধিকারের কথা বলবেন। কিন্তু দুঃখের বিষয় আমার অনুরোধ তারা শুনেন নি বা শোনা প্রয়োজন মনে করেন নি। যাহোক্ আমার বক্তৃতাতে শিক্ষার যে গলদ তা স্পষ্ট করে বলাছি।

বড় স্কোভের বিষয় এই যে, আমাদের যিনি বাজ্যপাল তিনি একজন শিক্ষাবিদ এবং আমাদের যিনি প্রধান মন্ত্রী তিনিও একজন বিশিষ্ট শিক্ষাবিদ। মনে হচ্ছে তিনি বোধ হয় আমাদের বিশ্ববিদ্যালয়ের “ভাইস-চ্যান্সেলর”ও কিছুদিন ছিলেন। স্কোভের বিষয় এই যে, এমন দু’জন শিক্ষাবিদের নেতৃত্বে যে বাজ্যের শাসন চলছে, সেখানে তারা শিক্ষা সম্বন্ধে ভবিষ্যতে কি করবেন, শিক্ষার সংস্কার, শিক্ষার উন্নতি বিষয়ে কি করবেন, তার একবিন্দুও গভর্ণরের ভাষণের কোন জায়গায় উল্লেখ নাই। যদি বৃহত্তম শিক্ষার উন্নতির জন্য পূর্ববর্তী কংগ্রেস গভর্ণমেন্ট চাব বছর ধরে বিশেষ কিছু করে এসেছেন এবং গভর্ণরের বক্তৃতায় কিছু বলা না হ’লেও সেই পন্থা অনুসারে শিক্ষা সংস্কার এবং শিক্ষার উন্নতির জন্য কাজ করা হবে তাহ’লেও নিশ্চল হ’তাম। কিন্তু গত চার বছরের কংগ্রেস শাসনে শিক্ষা সম্বন্ধে যা কিছু হয়েছে, সেটা অতীত দুঃখের ব্যাপার, অতীত শোচনীয় ব্যাপার।

পূর্ববর্তী শিক্ষামন্ত্রীমহাশয় যখন মন্ত্রি প্রহণ করেন, তখন অনেকেই উল্লসিত হয়েছিলেন। সবচেয়ে বেশী যারা উল্লসিত হয়েছিলেন, আমিও তাদের ভেতর অন্যতম ছিলাম। কারণ শিক্ষামন্ত্রীমহাশয়ের সঙ্গে দীর্ঘকালের ঘনিষ্ঠ পরিচয়ের ফলে আশা করেছিলাম হয়ত তাঁর নেতৃত্বে শিক্ষার বিশেষ কিছু উন্নতি হবে। আমি জানি হয়ত নতুন শিক্ষামন্ত্রী তাঁর সেক্রেটারী ও ডিপার্টমেন্টের কর্মচারীদের দ্বারা “ইন্সট্রাক্টেড” হয়ে কতগুলি “ফ্যাক্টস্” ও “স্ট্যাটিস্টিক্স” আমাদের সামনে এনে বলবেন—শিক্ষার যথেষ্ট উন্নতি হয়েছে। হয়েতো তিনি দেখানেন স্কুলের সংখ্যা পূর্বেও অপেক্ষা অনেক বেড়েছে, প্রাথমিক শিক্ষকদের পারিশ্রমিকও কিছু বেড়েছে। “সেকেন্ডারী স্কুল”এর জন্য যে নতুন “গ্রান্ট-ইন-এড রুল” ভূতপূর্ব শিক্ষামন্ত্রী করেছিলেন তাতে বেতনও কিছু বৃদ্ধি পেয়েছে। এইসব বলে হয়ত নতুন শিক্ষামন্ত্রী সমালোচকদের সন্তুষ্ট করার চেষ্টা করবেন। কিন্তু যারা প্রকৃত অবস্থা জানেন, তারা জানেন যে কাগজেকলমে বিদ্যালয়ের সংখ্যা বৃদ্ধি হ’লেও, প্রাথমিক স্কুলের ছাত্রসংখ্যা বৃদ্ধি হ’লেও আসল শিক্ষার কিছুই উন্নতি হয় নাই। আমি প্রত্যেকটি কথা ওজন করে বলছি। আমি দীর্ঘকাল ধরে বাংলার এক প্রান্ত থেকে অপর প্রান্ত পর্যন্ত ঘুরে প্রাথমিক বিদ্যালয়ের অবস্থা দেখেছি। বঙ্গ বিভাগের পরেও পশ্চিমবঙ্গের সুদূর পল্লীতে গিয়েও বিদ্যালয়ের অবস্থা দেখেছি। নদীয়া, ২৪-পরগণা ও মেদিনীপুর এই তিনটি জেলায় ২৯৪টি শিক্ষা প্রতিষ্ঠানে যাওয়াব সুযোগ পেয়েছি। সেখানে আমি শিক্ষার অবস্থা যা দেখেছি তা অতীত শোচনীয়। উচ্চ মাধ্যমিক ও নিম্ন মাধ্যমিক বিদ্যালয়ের যে অবস্থা দেখেছি তা বলতে গেলে চোখে জল আসে। ভাবছি এই অবস্থায় আমাদের যে জাতি গড়ে উঠছে তার রূপ ও প্রকৃতি কেমন হবে!

[11-30—11-40 a.m.]

কয়েকদিন পূর্বে বর্তমান শিক্ষামন্ত্রীর সঙ্গে আমার সাক্ষাৎ হয়। তখন আমি তাঁকে বলি, আপনি শিক্ষা-দপ্তরের ভার গ্রহণ করেছেন এটা খুবই আনন্দের কথা। একদা “গভর্ণমেন্ট সার্ভিস” গ্রহণ করার পূর্বে আপনি শিক্ষা বিভাগে অধ্যাপনা করেছিলেন এবং পরে আবার অবসর গ্রহণ করার পর অধ্যাপনা কার্যে রতী হয়েছিলেন। বাস্তবিক যদি শিক্ষার উন্নতি করতে চান, তবে শিক্ষা প্রতিষ্ঠানের আসল অবস্থা দেখুন। হারুন-অল-রাসিদের মত ছদ্মবেশে গ্রামে গ্রামে গিয়ে বিদ্যালয়গুলির অবস্থা একটু পরীক্ষণ করুন। আর শিক্ষা বিভাগের যে সকল কর্মচারী “ডিপ্লোম্যাট ইন্সপেক্টর, সাব-ইন্সপেক্টর” ইত্যাদি যারা আছেন তাঁদের ডেকে অভয় দিয়ে জিজ্ঞাসা করুন প্রাথমিক বিদ্যালয়ের অবস্থা কি, মাধ্যমিক বিদ্যালয়েরই বা অবস্থা কি? আর যে “এডাল্ট” স্কুলের পরীক্ষণনা করা হয়েছে—“গ্রো-মোব-ফুড ক্যাম্পাইন”এর মত যার জন্য লক্ষ লক্ষ টাকা খরচ করা হচ্ছে, তার কি ফল হচ্ছে? নিজের চোখে দেখে আসুন। অভয় দিয়ে আপনার বিভাগের কর্মচারীদের কাছ থেকে জেনে নিন। প্রধান মন্ত্রীর সঙ্গে আমার গতকাল সাক্ষাৎ হয়েছিল, শিক্ষার জন্য যাতে বেশী অর্থ বাজেটে দেওয়া হয় সেই সমস্ত বিষয় নিয়ে তাঁর সঙ্গে দেখা করেছিলাম। তাঁর কাছেও সব বলছি। তিনি আজকে এখানে উপস্থিত থাকবেন কথা ছিল। ভেবেছিলাম শিক্ষার যা কিছু দুটি, যা কিছু গলদ, সমস্ত তাঁকে বলতে পারবো। এই উচ্চ বিধান পরিষদে এসে

আর কিছু করার সুযোগ হবে না। যদিও আমার ভোটাররা! আশা করেছিলেন যে আমি নির্বাচিত হ'লে শিক্ষার বিষয়ে কিছু করতে পারবো। আমি তখন তাদের বলেছিলাম যে সেখানে করার কিছু নাই। তবে এইটুকু করতে পারি যে, বর্তমানে দেশের শিক্ষার যে অবস্থা বা অধিকাংশ ক্ষেত্রে সকল জানে না (আমি আগের মত ওজন করেই প্রত্যেকটি কথা বলছি—শিক্ষার প্রকৃত অবস্থা দেশবাসী জানে না। জনার জন্য আগ্রহও তাদের নেই) সেইসব কথা বলতে পারবো। এ করে জনমত হয়ত সৃষ্টি করতে পারবো। মন্ত্রীদের ভিতর অনেককে ঘনিষ্ঠভাবে জানি, তাদের দেশভক্তি এবং উপকার করার আগ্রহ আছে, কল্যাণ করার স্পৃহা আছে, তা জানি। নানা কারণে তা তারা রূপদান করতে পারেন না। প্রধান মন্ত্রীমহাশয়কেও জানি। তিনি সত্যিই দেশের কল্যাণকামী, কিন্তু কেউই শিক্ষার বিষয়ে কিছু জানেন না। শুধু যে সরকারের এতে দোষ তা নয়, আমাদের দেশের লোকেও প্রকৃত শিক্ষা চায় না। মুখে বলি, কাগজকলমে বলি, বহুতামগ্নে দাঁড়িয়ে বলি, শিক্ষা চাই। কিন্তু প্রকৃত শিক্ষা আমরা চাই না। কোন জিনিষ আমরা চাই এবং কোন জিনিষ আমরা না চাই—তার একমাত্র প্রমাণ আমরা তার জন্য চেষ্টা করছি। তাগ স্বীকার করতে প্রস্তুত আছি। আমরা শিক্ষার জন্য তাগ স্বীকার করতে আদৌ প্রস্তুত নই। আজ মাছের সের সাড়ে তিন টাকা, কিন্তু মাছের বাজারে ঢুকতে পারি না। কাপড়ের দোকানেও তাই। আমাদের বাজারে, তরকারীর বাজারে লোকের অভাব নাই। সিনেমা থিয়েটারে কি ভাড়া! তা আপনারা জানেন। সব বিষয়ে খরচ করতে পারি, কিন্তু শিক্ষা সম্বন্ধে আমরা সম্পূর্ণ উদাসীন, কিছুই খরচ করতে পারি না। জন-সাধারণের অবস্থা যদি এই হয় তাহ'লে “এ কাশ্টি গেস্ট্‌স্‌ দি গভর্নমেন্ট হুইচ ইট ডিজার্ডস্‌”। কাজেই আমাদের যারা আছেন মন্ত্রিমণ্ডলীতে তাদের অবস্থাও যে এই হবে তা বিচিত্র কিছু নয়। তবে আশা করি, শিক্ষার যে প্রকৃত অবস্থা তা আপনারদের গোপরে নিয়ে আসবো। দেশের কল্যাণ করার আপনারদের আকাংক্ষা আছে, আপনারা নিশ্চয়ই শিক্ষার কিছু সংস্কার করার চেষ্টা করবেন। এই গভর্নরের “স্পীচ” একমাত্র প্রমাণ আমরা তার জন্য উল্লেখ না দেখে দুঃখিত হয়েছি। আগেই বলেছি হয়ত শিক্ষামন্ত্রী তাঁর ডিপার্টমেন্টের কাছ থেকে “ইন্সট্রাক্টেড” হয়ে ব'লেবেন এতগুলি প্রাথমিক স্কুল বেড়েছে। কিন্তু সেগুলি কি তা যদি নিজে দেখেন তাহ'লে দেখবেন সেগুলি স্কুল নামের যোগ্য নয়। “দে আর অনলি এপলজি অব স্কুলস্‌”। গরুর গোয়ালঘরের চেয়ে সেসবের অবস্থা খারাপ, স্কুল ঘরের তেতর শিক্ষার উপকরণের একান্ত অভাব। বেগু, চেনার পড়ে মরুক বসবার সামান্য পাতার আসন পর্যন্ত নাই। পুরাণ ব্রাকবোর্ড হয়ত দেখবেন তাতে দাগ পড়ে না। ম্যাপ নাই—বই নাই। এই হচ্ছে শিক্ষালয়ের অবস্থা। আর যারা শিক্ষক নিযুক্ত হয়েছেন তাদের বেতন পাঁচিশ, ত্রিশ, পঁয়ত্রিশ। কি লজ্জার কথা। আমরা ঝাড়ুদারদের যে বেতন দিয়ে থাকি, তার চেয়েও কম। গভর্নমেন্ট থেকে বহুবার বলা হয়েছে যে আগে চার টাকা-পাঁচ টাকা বেতন ছিল, তাইই সর্বপ্রথম বেতন বৃদ্ধি করেছেন। এটা সর্বের মিথ্যা বলা উচিত নয়—“লাই” বলা “আন-পার্লিয়ামেন্টারী” হবে, ওটা “টার্মিনোলজিক্যাল্‌ ইন-একজাক্টিটিউড্‌”।

[11-40—11-50 a.m.]

লীগ গভর্নমেন্ট সর্বপ্রথম বেতন বৃদ্ধি করেন, কুড়ি টাকা আট আনা, চব্বিশ টাকা আট আনা ও বত্রিশ টাকা আট আনা—এই বেতন তাঁরা ঠিক করে যান। তারপরে প্রাথমিক শিক্ষকদের বেতন কিছু বাড়ান হয়েছে। ভূতপূর্ব শিক্ষামন্ত্রীর এইসব শিক্ষকদের বেতন বৃদ্ধির যে আগ্রহ ছিল, তা কৃতজ্ঞতার সহিত স্বীকার করি। কিন্তু আগ্রহ ও ইচ্ছা থাকলেই ত হয় না। তিনি কাজে বিশেষ কিছু করতে চান নি। আশা করি এবারে আবার শিক্ষকদের ঐকমত্য একটা “মাগ্নিফিসেন্ট সাম” বেতন ধার্য হবে। আপনারা শুনেন আরও আশ্চর্য্য হবেন এইসব স্কুলে “কন্টিনুয়েন্স” খরচও দেওয়া হয় না। গভর্নমেন্ট আশা করেন শিক্ষকরাই স্কুলঘর নিকোবেন, পরিষ্কার করবেন, ছেলেপেলেদের খাবার জল নিয়ে আসবেন ইত্যাদি,—তারপর তাঁরা ছেলেদের শিক্ষাদান করবেন। তাঁদের কাছ থেকে আর কি আশা করেন? “শিক্ষণবাহারিকা” নামক এক গানের বই পশ্চিমবঙ্গ সরকার প্রকাশ করেছেন। সূন্দর বই, ও পড়ে আনন্দ পাওয়া যায়, অনেক নতুন কথা তাতে আছে। চমৎকার বই! এক জায়গায় এই বইতে বলা হয়েছে—“শিক্ষক মহাশয় ছেলেমেয়েদের সন্তোষে অন্তত দু'দিন তেল মেখে গা-পা রগড়ে স্নান করিয়ে দিবেন”। আর কি করবেন? “প্রথম প্রথম শিক্ষক মহাশয়কে শিশুদের জামা কাপড় সাবান দিয়ে ধুয়ে হাতে-নাতে কাপড় কাচার পদ্ধতি শিখিয়ে দিতে হবে।” চমৎকার! আমরা বলি শিক্ষকদের কাজ মহৎ কাজ। বেশ কথা। শিক্ষকদের মনিব যারা শিক্ষামন্ত্রী মহাশয় ও প্রধান মন্ত্রী মহাশয় এবং আর অন্যান্য যারা দপ্তরের বড় বড় পদ অধিকার করে আছেন, তাঁরা নিজেরা এই কাজ করে এর মহত্ব দেখিয়ে দিন। কুড়ি-পাঁচিশ টাকা বেতন দিয়ে যে সমস্ত শিক্ষকদের নিযুক্ত করা হয়েছে, তাদের কাছ থেকে চাই কি—তাঁরা ছেলেপেলেদের পড়ান, কাপড় কেটে দেবেন, খাবার জল তুলে দেবেন, স্কুলঘর পরিষ্কার করে দেবেন। কি অবস্থা! ভাবতে কষ্ট হয়। এর চাইতে নিষ্ঠুর ব্যবহার আর কি হতে পারে? আমাদের আগেকার মন্ত্রীমহাশয় বলেছেন—শিক্ষকদের আদর্শ নোবেল, তাঁদের বুনো বামনাথ হ'তে হবে, তাঁদের তাগস্বীকার করতে হবে। বুনো বামনাথের আদর্শ মহৎ আদর্শ, কিন্তু সেই আদর্শ কেবল শিক্ষকদের উপরই ন্যস্ত থাকবে কেন? বুনো বামনাথের যুগ চলে গেছে। আজ কাগন কৌলীন্যের দিন। সকলে ব্রিটিশতার মধ্যে জীবনযাপন করবেন, আর দরিদ্র প্রাথমিক শিক্ষকদের এই সমস্ত কাজ করতে হবে ভৃত্যের মত, প্রাচীনকালের গুরুর মত তাঁদের চলতে হবে। এই আপনারা আশা করেন? শিক্ষকরা যদি এই রকম স্বল্প বেতন পান, তাহ'লে শিক্ষাক্ষেত্রে কান্না আসবেন তা অনায়াসেই বঝতে পারেন। সুতরাং শুনুন আশ্চর্য্য হবার কোন কারণ আপনারদের নাই—অধিকাংশ শিক্ষকই শিক্ষার কাজে অপট, তাঁরা অশিক্ষিত বা অর্ধশিক্ষিত বললেও অত্যন্ত হয় না। এই হচ্ছে প্রাথমিক বিদ্যালয়ের অবস্থা। সেই প্রাথমিক বিদ্যালয়ে কিভাবে শিক্ষাপদ্ধতি প্রচলিত করা হয়েছে ভূতপূর্ব মন্ত্রীমহাশয়ের আমলে তা শুনলে আপনারা অবাক হবেন। আগেকার দিনে মামুলী বিদ্যালয়ে কিছু লেখাপড়া হ'ত। অন্তত যাকে বলে “প্লি-আরস্‌” তার কিছু শিক্ষা হ'ত। আর আজকের দিনে প্রাথমিক বিদ্যালয়ে আপনারা সকলে ছদ্মবেশে গিয়ে একবার দেখে আসুন, বৎসরের অধিকাংশ সময় ছেলেরা ডাঙাগুলি খেলে বেড়াচ্ছে। বাংলাদেশের শিক্ষায়তনের কথা যখন ভাবি শিক্ষার নামে সেখানে কি প্রতারণা চলেছে, তখন রক্ত গরম হয়ে ওঠে।

প্রাথমিক বিদ্যালয়ের “সিলেবাস” বা তৈরী হয়েছে “ইট লুক্‌স্‌ গ্রাউড্‌ অন” পেপার”। এর চেয়ে ভাল জিনিষ কেউ কল্পনা করতে পারেন না। সেই “সিলেবাস” তৈরী হইলেন মহাশয়জীর বুনোবাঈ স্কুলের জন্য। সেই

উচ্চ ধরনের শিক্ষার আদর্শে রচিত হয়েছিল যে “সিলেবাস”, সেই “সিলেবাস” রাতারাতি মামুলী স্কুলে প্রবর্তিত করা হ’ল, যাতে লোকের কাছে গম্ব’ করে বলা যাবে যে আমরা ১৪ হাজার “বৈশিক স্কুল” করছি। কি কৃষ্ণহেই না মহাত্মা গান্ধী ওয়ান্থায় “বৈশিক স্কুল” করেছিলেন। পশ্চিম বাংলার “বৈশিক স্কুল” এ তার খোল নলচে সব বদলে গেছে। সার্জেণ্ট-কমিটী যে ধরনের “বৈশিক স্কুল” কল্পনা করেছিলেন তা আমি অনুমোদন করি। মহাত্মাজীর আসল যে কথা—“ইন্সট্রাকশন থ্রু এজিটিভিটি” তা এতে বজায় রাখা হয়েছে। কিন্তু আমাদের গভর্ণমেন্ট যে “বৈশিক স্কুল” করেছেন তা একটা “হচপচ”। ওয়ান্থায় ধরনের “বৈশিক স্কুল” কি সার্জেণ্ট ধরনের “বৈশিক স্কুল”—তা জানি না। যে ধরনেরই হোক সেটা মামুলী ধরণ অপেক্ষা অন্য রকম। কিন্তু রাতারাতি মামুলী বিদ্যালয়গুলিকে “বৈশিক স্কুল” বলে ধরে নেওয়া হ’ল। কারণ অন্যান্য প্রদেশকে আমরা দেখাব যে বাংলায় আমরা এতগুলি “বৈশিক স্কুল” করছি। মহাত্মাজীর যে মহান আদর্শ তা বে-মালুম আমরা ভুলে গেছি। শৃঙ্খলার “বৈশিক স্কুল” কোন রাষ্ট্রে কত তা দেখাবার জন্য আমরা ব্যস্ত। তাই রাতারাতি ১৪ হাজার “বৈশিক স্কুল” হয়ে গেল। যে “সিলেবাস বৈশিক স্কুল” এর জন্য করা হয়েছিল—তাই আমরা সেখানে “ইন্সট্রাক্টিভিস্” করলাম। সেই “সিলেবাস” এ কি আছে—তা কি জানেন আপনারা? সেখানে আছে—প্রথম দু’বৎসর পুস্তকহীন শিক্ষা দিত হ’বে। অর্থাৎ কোনও বই স্কুলে থাকবে না। আমি প্রধান মন্ত্রিমহাশয়কে কালকে এ বিষয়ে বলেছিলাম। উনি শুনেন ত অবাক। তিনি বলেন আপনি শিক্ষামন্ত্রীর গিয়ে ওসব বলুন, পরে আমি দেখবো। পুস্তকহীন শিক্ষা খুব উচ্চ ধরনের ব্যবস্থা। ইউরোপ ও আমেরিকায় এই পুস্তকহীন শিক্ষা ব্যবস্থা প্রচলিত আছে। এ যে ভাল সন্দেহ নাই। কিন্তু মামুলী বিদ্যালয়ের পরিবেশের মধ্যে, মামুলী শিক্ষক দ্বারা উচ্চস্তরের সেই “সিলেবাস” এর ভেতর দিয়ে পুস্তকহীন শিক্ষা দেওয়ায় লাভ কি হচ্ছে? প্রথম দু’বৎসর ছেলেরা কিছুই ছাথাপড়া শিখছে না, তারা কেবল ড্যাঙাগুলি খেলে বেড়াচ্ছে—একথা বললেও অতৃষ্টি হয় না। সরকার থেকে “ক্লাস প্রি ও ফোর” এর জন্য একখানা বই তৈরি করা হয়েছে—তার নাম কিশলয়। আপনারা হয়ত তা পড়েন নাই। তাতে অঙ্ক শিক্ষার নতুন পদ্ধতি বের করা হয়েছে। আমরা আগল গুলে অঙ্ক শিখতাম, আর এখন আগল গুলে অঙ্ক করা বারণ। গভর্ণমেন্ট সেই বইখানা “পাবলিশ” করেছেন। ছ’মাস পৰ্য্যন্ত এই বই পাওয়া যায় না। কাজেই ছ’মাস কোন পড়া হয় না। আমি প্রত্যেকটা কথা ওজন করে বলছি। গভর্ণমেন্ট থেকে যদি আমার এসব কথা বিশ্বাস না করতে চান, তাহলে আমি বলবো—আপনারা ছদ্মবেশে গিয়ে একবার প্রকৃত অবস্থাটা দেখে আসুন। শিক্ষামন্ত্রী পায়ালাল বাবুকে আমি বলেছি যে আপনারা ছদ্মবেশে যাওয়া সুবিধা হবে। কারণ আপনার ছবি কাগজে এখনও বেশী ছাপা হয় নাই। বিধানসভার যাওয়া সুবিধা হবে না, তাকে সবাই চিনে ফেলবে। শিক্ষামন্ত্রী যদি যান, তাহলে দেখতে পাবেন—আমি যা বলেছি—প্রাথমিক বিদ্যালয়ের অবস্থা তাই কি না। সুতরাং প্রাথমিক বিদ্যালয়ের সখ্যা যা দেখান হচ্ছে—এটা শৃঙ্খল অন্যান্য প্রদেশকে দেখাবার জন্য—আমরা এতগুলি স্কুল বাড়িয়েছি।

[11-50—12 a.m.]

“স্ট্রেট লাইন” বৃন্দ কি? না, “লেন’গ্’ উইদাউট রেড’থ্”। ঠিক এইভাবে স্কুলের সংখ্যা তাঁরা বৃন্দ কবেছেন, আসল কাজের বেলায় ৩৭ ৩৭। প্রাথমিক শিক্ষার নামে বিরাট প্রভাৱণা চলছে। এই মন্ত্রিমহাশয় এমনি অনেকে আছেন, যাদের সম্বন্ধে আমি খুব উচ্চ ধারণা পোষণ করি। তাঁরা বুকুন ব্যাপার কি। “এডুকেশন ডিপার্টমেন্ট” এ যারা আছেন—“ডি-পি-আই” থেকে আরম্ভ করে বড় বড় কমচারী—তাঁরা যোগা লোক কিন্তু শিক্ষামন্ত্রীর উপদেষ্টাদের কয়েকজন এমন অবস্থা সৃষ্টি করে ফেলেছেন যে “ডি-পি-আই” কে ঠাট্টা জগমাগ করে রাখা হয়েছে। তাঁর উপদেশ আদৌ গ্রহণ করা হয় না। চার বছর ধরে হরেন বাবুকে বলে আসি—প্রাথমিক শিক্ষার যদি উন্নতি চান, তাহলে “সিলেবাস” বদলান, যতদিন পর্য্যন্ত এই ধরনের শিক্ষক ও শিক্ষা থাকবে, ততদিন শিক্ষার কোন উন্নতি হবে না। যাতে প্রকৃত শিক্ষা হ’তে পারে এমন ধরণে শিক্ষা ও শিক্ষাপদ্ধতি প্রবর্তন করুন। কিন্তু আমরা কথায় কেউ তাঁরা কর্ণপাত করেন নাই। শিক্ষামন্ত্রীর কয়েকজন উপদেষ্টা আছেন, তাঁদের নাম কবতে পারি, কিন্তু তা করবো না। কারণ ব্যক্তি বিশেষের নাম উল্লেখটা বোধ হয় সমীচীন নয়; বোধ হয় সভাপতি মহাশয়ও অনুমতি প্রদেবন না। ঐ কয়েকটা লোকের জন্যই বাংলাদেশে প্রাথমিক শিক্ষার নামে বিরাট প্রহসন চলছে। এই ত গেল প্রাথমিক বিদ্যালয়ের অবস্থা।

তাবপর মাধ্যমিক বিদ্যালয়ের কথা সকলেই কিছু না কিছু অবগত আছেন। দুই শ্রেণীর মাধ্যমিক বিদ্যালয় আছে—উচ্চ এবং নিম্ন। নিম্ন মাধ্যমিক বিদ্যালয়ের সংখ্যা পশ্চিম বাংলায়—এক হাজার ত্রিশটী। এদের অবস্থাটা কি? ত্রিশকুর মত এগুলো স্বর্ণ ও মতের মাঝখানে ক’লছে। একদিকে “ডিপ্ট্রষ্ট স্কুল বোর্ড” তাদের উপর ভার দেওয়া হয়েছে প্রাথমিক শিক্ষা ব্যবস্থার আর এক দিক হচ্ছে—মাধ্যমিক শিক্ষা বোর্ড, যাদের চেষ্টা “সিনিয়র সেকেন্ডারি” স্কুলের যেখানে “ক্লাস সেভেন, এইট, নাইন, টেন” তার উন্নতি করা, দুইয়ের মাঝখানে প’ড়ে আছে। নিম্ন মাধ্যমিক “এম, ই, স্কুল” এবং “এম, ডি, স্কুল”, তার সংখ্যা এক হাজারের ওপর। এদের কথা কেউ আমরা ভেবে দেখিনা। কি শোচনীয় অবস্থা তাদের। ডিপ্ট্রষ্ট বোর্ড এর ফেরী ও খোঁয়াড় থেকে যে “ইনকাম” হ’ত আগে সেটা এই স্কুলগুলির শিক্ষার জন্য ব্যয় হ’ত। যখন ডিপ্ট্রষ্ট বোর্ড এর হাত থেকে এই শিক্ষায়তনগুলি মাধ্যমিক শিক্ষা বোর্ডের হাতে এল তখন থেকে ডিপ্ট্রষ্ট বোর্ড সেই সাহায্য দেওয়া বন্ধ করলেন। কোন কোন সময় ডিপ্ট্রষ্ট বোর্ড বছরের শেষে একটা “ল্যাম্প সাম” দিয়ে থাকেন। আর সরকারের “এডুকেশন ডিপার্টমেন্ট” থেকে ১ হাজার বিদ্যালয়ের মধ্যে ২৯ বিদ্যালয় কিছু কিছু সাহায্য পেয়ে থাকেন। নিম্ন মাধ্যমিক বিদ্যালয়ে মাত্র “ক্লাস ফাইভ-সিক্স”। সেখানকার অবস্থা ত এই। ফলে প্রাথমিক স্কুলের ৪ বছর ছেলেরা ড্যাঙাগুলি খেলে কাটাল, কিছুই শিখল না। নিম্ন মাধ্যমিক “ফাইভ-সিক্স” এ এসেও কিছু শিখল না। তারপর এল “ক্লাস সেভেন-এইট-নাইন-টেন” এ। গোড়া কাঁচাই রয়েছে। মাধ্যমিক বিদ্যালয় সংস্কারের জন্য গভর্ণমেন্ট ও জনসাধারণ মখে খুব আগ্রহ দেখিয়ে থাকেন; আর ইউনিভার্সিটিতে কম পাশ করে বলে ইউনিভার্সিটিকে সমালোচনা করে থাকেন। তার জন্য মাস্তুরদের ঘাড়ে দোষ চাপিয়ে দেওয়া হয়—তোমরা পড়ো নি। কলেজের যারা অধ্যাপক—তোমরাও কাজ কর না। তা না হ’লে এত ফেল কেন? গাধা পিটিয়ে ঘোড়া করা যায় না। গাধা করতে বাধ্য করেছে এই রাষ্ট্র। রাষ্ট্রীয় শিক্ষার যে ব্যবস্থা তাতে ছেলেরা গাধা

করা হচ্ছে। এই গাথায় যখন উচ্চ বিদ্যালয়ে গেল এদের ভিতর অবশ্য কিছু কিছু ঘোড়া প্রাপ্ত হয়ে বেরুল “স্কুল ফাইনাল” পাশ কোরে। তারপর এল তারা আমাদের কলেজে। তারা অবশ্য একেবারে খোপার গাথা নয় একটু উচ্চাঙ্গের গাথা। গাথাই কিছুটা বজ্রন কোরে একটু ঘোড়া প্রাপ্ত হওয়ার মত হয়েছে—তাদের নিয়ে আমাদের কলেজে কারবার করতে হয়। এমত অবস্থায় শতকরা ২৯.১০ জনের বেশী কি করে “আই-এ, আই-এসসি” পাশ করবে? অথচ দেখুন শিক্ষার নামে কি প্রহসন চলছে!! কিন্তু শিক্ষা সংস্কারের জন্য যে ব্যবস্থা করা উচিত তা গভর্ণমেন্ট করছেন না। শিক্ষকদের বেতন কত জানেন?

“গ্রাফুয়েট” শিক্ষকদের বেতন মাসিক ৫০ টাকা করে দেওয়া হয়। অবশ্য প্রত্যেক বিদ্যালয়ে বেতন বৃদ্ধি করার জন্য গভর্ণমেন্ট থেকে কিছু সাহায্য দেওয়া হয়। আপনারা বলবেন শিক্ষার সংস্কার করতে গেলে শিক্ষকদের বেতনের কথা নিয়ে আসেন আপনারা। শিক্ষক সদস্য—যাঁরা ব্যবস্থাপক সভাতে দাঁড়িয়েছেন তাঁরা কেবল এই কথা বলছেন। তাই অনেকে বিদ্রূপ করতে পারেন, অনেকের ধৈর্য্যচ্যুতিও ঘটতে পারে হয়ত। অন্যান্য আলোচনা না করে ব্যবস্থাপক সভাতে কেবল শিক্ষকদের বেতন—

(At this stage the blue light was lit.)

এটা কিসের চিহ্ন জানি না। এখনও বলতে পারি কি?

What is the indication of this blue light, Sir? As I am new I can't understand what it is for.

[12—12-10 a.m.]

Mr. CHAIRMAN: That is an indication that you are nearing your time and as soon as the blue light will be put out and the red light put on, you will kindly resume your seat.

SJ. MOHITOSH RAI CHOUDHURI: Sir, I shall take another fifteen minutes because I have not yet finished my criticism of the system of Secondary and the College education. Of course if the Chairman asks me to resume my seat, I will do so, and wait for the next opportunity to conclude my speech.

Mr. CHAIRMAN: I would like you to curtail it a bit. All right, you go on.

SJ. MOHITOSH RAI CHOUDHURI:

যাক, এইত গেল মাধ্যমিক বিদ্যালয়ের কথা। ভূতপূর্ব শিক্ষামন্ত্রী মাধ্যমিক বিদ্যালয় সংস্কার করার জন্য বিশেষ চেষ্টা করেছিলেন এবং “গ্রাণ্ট-ইন-এড রুল” এর সংস্কার করেছিলেন। চমৎকার রুল হয়েছিল। তাতে বলছেন আমবা এতদিন যেভাবে বিদ্যালয়ে সাহায্য দিতাম তা আর থাকবে না। এখন থেকে যে বিদ্যালয়ে যতটা “ডেফিসিট” পড়বে, যে অর্থের সংকুলান হবে না, সেই পরিমাণ সমস্ত টাকা গভর্ণমেন্ট দেবেন। অত্যন্ত আনন্দের কথা। পূর্বে যেখানে ১০০ টাকা বা ১৫০ টাকা “গ্রাণ্ট” দিতেন সেখানে যদি শিক্ষা সংস্কার করার জন্য বিদ্যালয় কমিটি বেশী কোরে খরচ করেন গভর্ণমেন্ট তা দেবেন। অতি উদার ব্যবস্থা, এর জন্য শিক্ষকদের তরফ থেকে শিক্ষামন্ত্রীকে অভিনন্দন জানাই। কিন্তু এর ফল কি হল?

নবম্বরীর পিণ্ডিতের কথা জানেন? নবম্বরীর পিণ্ডিতদের সভা হ'ল। পিণ্ডিত মহাশয় সভাস্থলে প্রতিজ্ঞা করলেন—যে আমাকে তর্কে হারাবে আমি তাকে যথাসর্বস্ব দেব। বাড়ীতে যখন ফিরে এলেন গৃহিণী শুনলে বললেন—তুমি কি করলে? তোমার চেয়ে বড় বড় পিণ্ডিত আসবে। তর্কে তোমাকে হারিয়ে দেবে। তাহ'লে যথাসর্বস্ব যাবে। তিনি বললেন—বুঝলে না। তর্কে হারিয়ে দেওয়া কি সোজা? আমি কি তর্কে হারব?

ওখানেও ঠিক ঐ অবস্থা হ'ল। যখন এই “গ্রাণ্ট-ইন-এড রুল” হ'ল “ফাইনাল ডিপার্টমেন্ট” বললে—“এ কি করলেন, হরেন বাবু? এইভাবে “আনস্বেপিসফাইড্ এমাইন্ড অব লায়েরিফলিটি” নিলে “হিউজ এমাইন্ড অব ডেফিসিট” দেখা যাবে। তখন শিক্ষাবিভাগ থেকে বলা হ'ল—উত্তল হয়ো না; “ডেফিসিট” কি হবে না হবে আমরাই ত ঠিক করে দেব। আমবা স্কুলের খরচ পুণ্ডানুপুণ্ডরূপে দেখে নেব। দেখার পরে যে খরচটা আমরা ন্যায্য বোলে মনে করব সেটা আমরা দেব। সুতরাং “ডেফিসিট” এর জন্য ভেবো না। যা দেওয়া হচ্ছে তার চেয়ে মোটের উপর বেশী হবে না।” সেই দিন থেকে বিদ্যালয় পরিচালনার ব্যাপার যে “ইটারফিয়ারেন্স” হ'তে আরম্ভ হয়েছে তা অসাধারণ। মর্শিদাবাদ জেলায় আমি দেখেছি ডিষ্ট্রিক্ট ইন্সপেক্টরের অফিসে স্কুলের হিসাবপত্র “এপ্রুভ” করার সময় প্রত্যেক “ফারদিং” যা বায় হয় তার জবাবদিহি করতে হয় এবং ডিষ্ট্রিক্ট ইন্সপেক্টরের মত নিতে হয়। কারণ খরচ ঠিক হয়েছে কি না তা গভর্ণমেন্টের তবফ থেকে না দেখা হ'লে কি কোরে “ডেফিসিট” দেওয়া যাবে? কাজেই প্রত্যেক “পেট” ব্যয়ের জন্যও অনুমতি নিতে হয়। একটা বিদ্যালয় “লাইব্রেরিয়ান এপ্রুয়েট” করেছিল ২০ টাকা বেতনে; এজন্য অনুমোদনের প্রয়োজন হয়। কিন্তু তার ফল হল কি? ২০ টাকার লাইব্রেরিয়ান দেওয়া যায় না। যদি সেটা দেওয়া যায় তবে “ডেফিসিট” এর মাত্রা ২০ টাকা বেড়ে যাবে। ফলে হুকুম এল শিক্ষকদের লাইব্রেরিয়ানের কাজ করতে হবে। অবশ্য প্রাথমিক শিক্ষকদের মত ছেলেরদের তেল মাথাতে হবে, কাপড় কাচতে হবে তা বলা হয় নি—তাদের প্রতি গ্রন্থা দেখান হয়েছে হয়তো অনেকে গাজুয়েট বোলে। তাই শূন্য আদেশ হ'লো লাইব্রেরিয়ানের কাজ শিক্ষকদের অতিরিক্তভাবে করতে হবে। এই রকম অল্প “ইটারফিয়ারেন্স” হচ্ছে। আর এক জায়গায় দেখলাম “গ্রাণ্ট-ইন-এড” সম্বন্ধে কি হ'ল তা জানবার জন্য

‘ইন্সপেক্টরস্ অফিসে’এ যাতায়াতে বার আনা খরচ করা হয়েছে—কেননা ৬ মাসের “এড” পাওয়া যায় নি। কিন্তু সেই বার আনা পরসর আপত্তি করা হ’ল, সেটা কেটে দেওয়া হ’ল। এইভাবে “মেনেজমেন্টের” উপর হস্তক্ষেপ করা হচ্ছে। অবস্থা দেখে মনে হয় মাধ্যমিক শিক্ষা সংহার হবার উপক্রম হয়েছে। তারপর, প্রধান শিক্ষক ও অন্যান্য শিক্ষকদের ভিতর বেতনের একটা বিরাট ব্যবধান করা হয়েছে। সহকারী শিক্ষকদের অপেক্ষা ৩।৪ গুণ বেতন প্রধান শিক্ষকদের দেওয়া হচ্ছে। “হ্যারো” এবং “এটন”এর অনুসরণে প্রধান শিক্ষক আর অন্য শিক্ষকদের বেতনের ব্যবধান হয়েছে। ফলে শতকরা ৯০টা বিদ্যালয়ে “দু’টা দল হয়েছে—হেডমাস্টারের দল, আর সহকারী শিক্ষকদের দল। এই দু’টো দলে আড়াআড়ি চলছে। কোন স্কুলেই সৃষ্টিগত কার্য চলছে না। এই “গ্রাণ্ট-ইন-এড”এর ফল হয়েছে। এরপর “মেনেজমেন্ট” সম্বন্ধে যে নিয়ম হয়েছে তাতে বিদ্যালয় পরিচালনা অসম্ভব হয়েছে। এখন আবার নানারকম আদেশ জারী করা হচ্ছে যাতে কোরে আধিকাংশ বিদ্যালয়ের স্থায়িত্ব সম্বন্ধেই সম্ভেদেই উদ্ভব হচ্ছে। অবশ্য এসব “ডিটেল্‌স্” আলোচনা শিক্ষাবিদদের সভাতেই করা উচিত। এখানে এ আলোচনা সভাপতি মহাশয় হয়ত বলবেন অপ্রাসঙ্গিক কাণে মাধ্যমিক বোর্ডের উপরে মাধ্যমিক শিক্ষা পরিচালনার ভার দেওয়া হয়েছে। কিন্তু মাধ্যমিক শিক্ষার যদি সংস্কার করতে হয় তাহলে মাধ্যমিক বিদ্যালয়ের শিক্ষকদের পারিশ্রমিক বৃদ্ধি কোরে তাদের বাঁচিয়ে রাখতে হবে। এবং এজন্য মাধ্যমিক বোর্ডকে প্রচুর অর্থ দিতে হবে। অথচ এবিষয়ে গভর্ণরের “স্পীচ”এ কোন উল্লেখই দেখি না। অবশ্য গভর্ণরের অভিভাষণে প্রত্যেক বিষয়ের “ডিটেল্‌স্” উল্লেখ থাকবে তা বালি না। কিন্তু শিক্ষা সম্বন্ধে কি করা হবে বা না হবে সে বিষয়ে কোন উল্লেখ না থাকা স্কাভের কথা। আমার আশা ছিল শিক্ষা বাজেটে খরচ বাড়বে। কিন্তু যা খবর পাওয়া যাচ্ছে চারদিক থেকে তাতে সে আশা দ্রুত হতে পারে।

এই ত গেল মাধ্যমিক বিদ্যালয়ের কথা। কলেজের কথা সংক্ষেপে বলছি—সকলে উতলা হয়েছেন দেখছি। কলেজের “এডুকেশন”এর অবস্থা কি তা জানেন কি? “ডিসপার্শেল স্কীম”এব উদ্দেশ্য শিক্ষা নয়, সেটা রাজনৈতিক। “ডিসপার্শেল”এর উদ্দেশ্য ছিল কলিকাতার ছাত্রদের দূরে সরিয়ে নেওয়া। উদ্দেশ্য “নোবল”, রাজনৈতিক ছিল না না হয় স্বীকার করলাম যদিও সে বিষয়ে আমার যথেষ্ট সন্দেহ আছে। “ডিসপার্শেল স্কীম”এ কতকগুলি কলেজ হয়েছে। আজ এদের অনেকেরই শোচনীয় অবস্থা। ছাত্রসংখ্যা অনেক সময় শিক্ষকসংখ্যার অপেক্ষা বেশী হয় না। সবকান থেকে আদেশ হয়েছে তাদের বাঁচিয়ে রাখা জন্য এতদিন যেভাবে অর্থ সাহায্য করা হয়েছিল সেভাবে অর্থ সাহায্য আর করা হবে না। তাহলে এই “ডিসপার্শেল” কলেজগুলি বাঁচবে কি করে?

[12-10—12-16 p.m.]

Mr. CHAIRMAN: Mr. Rai Choudhuri, please close up your speech. You have spoken for nearly fifteen minutes and the extra fifteen minutes that you had asked for have been given to you.

Sj. MOHITOSH RAI CHOUDHURI: Very well, Sir, I shall sit down, unless the Chairman be good enough to give me fifteen minutes more the next day we meet.

Mr. CHAIRMAN: You wanted fifteen minutes more and it has been given.

Sj. MOHITOSH RAI CHOUDHURI: I want fifteen minutes more. Will you kindly allow me to finish my speech?

Mr. CHAIRMAN: I hope the honourable members are agreeable to sit at 9:30 in the morning on the 25th so that we may have more time for discussion. Mr. Rai Choudhuri will resume and speak for a short time on that day. He will speak for a few minutes and not for fifteen minutes.

Sj. DEBENDRA NATH SEN: On a Point of Privilege which arises out of the ruling given by you, Sir, in connection with the very serious allegation brought by Sri Annada Prosad Choudhuri. You suggested that we might discuss that question on another day and on another occasion. What occasion can we have?

Mr. CHAIRMAN: The House has already been adjourned. Would you kindly see me in my chamber after we disperse?

Adjournment.

The Council was then adjourned at 12-16 p.m till 9-30 a.m. on Wednesday, the 25th June, 1952.

Members absent.

The following members were absent from the meeting held on the 23rd June, 1952 :—

- (1) Deb, Sj. Narasingha Malla Ugal Sanda.
- (2) Roy, Sj. Chittaranjan.
- (3) Roy, Sj. Surendra Kumar.
- (4) Sarkar, Sj. Pranabeswar.

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 25th June, 1952, at 9-30 a.m. being the fifth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI was in the Chair.

Ruling of Mr. Chairman regarding Adjournment Motion.

[9-30—9-40 a.m.]

SJ. NIRMAL CHANDRA BHATTACHARYYA: May I beg leave of you to raise a definite matter of urgent public importance for discussion in this House? I refer to the *lathi* charge on the hunger-marchers in front of the Assembly House on Monday last.

Mr. CHAIRMAN: Has the honourable member submitted his motion before the House, because there are certain formalities to be observed in this connection?

SJ. NIRMAL CHANDRA BHATTACHARYYA: Mr. Chairman, Sir, I did not have the opportunity to forward it to you or the Secretary of the Legislative Council but I communicated it to you, Sir, on the phone. You will please permit me to raise it now, Sir, in view of the urgency of the matter and in view of the wave of indignation that has been caused throughout the length and breadth of the country by the *lathi* charge on the hunger-marchers. I hope you will be good enough to permit us to discuss this matter of very grave importance.

Mr. CHAIRMAN: The prescribed procedure is to give at least three hours' notice of an adjournment motion that a member would like to move on any matter of urgent public importance and of recent occurrence, but in the present case since to-day the Council has met at an irregular hour at 9-30 instead of at 10 o'clock, if the members on that account could not give proper notice I would make this a special case. The reason why this three hours' notice is required is perhaps not known to every one, and it is this. In that notice period the motion would go to the Ministry concerned, because it may be necessary for the Ministry to be prepared with the papers on the subject collecting information from the source. According to the Rules, that has been the procedure, but since this is a New House and today we are meeting under rather exceptional circumstances by beginning our work about half an hour earlier, I may ask you to read the motion so that I can decide whether I can give my consent to the motion or not.

SJ. NIRMAL CHANDRA BHATTACHARYYA: The motion will be as follows: This House strongly condemns the refusal of the Chief Minister to meet the hunger-marchers who were assembled in front of the Assembly House on Monday last as also the *lathi* charge upon the peaceful hunger-marchers who had assembled there.

Mr. CHAIRMAN: This is not, I understand, the formal way of moving an adjournment motion. This is a resolution, and you may speak on the subject comprised in this resolution when your turn comes to speak on your amendment in connection with His Excellency the Governor's speech. As the Governor's speech covers a wide ground of the administration, the speeches that are made by the members in connection with their amendments to the Motion of Thanks in reply to His Excellency the Governor's address may also cover various aspects of the administration. So I think the honourable member and others who are of the same mind may find plenty of occasion to speak on this and other topics when their turn comes to speak. In the circumstances I think I cannot give consent to this motion, as it is not

moved as per our Rules, but at the same time I request you to consider the case that there will be plenty of scope to discuss this matter in the course of your speeches on the amendments which are before the House.

SJ. DEBENDRA NATH SEN: On what grounds, Sir, have you ruled out the motion? Is it because it was not in proper form or is it because of other reasons?

Mr. CHAIRMAN: Both, and the reason therefor I have stated, and it is this that you will have plenty of occasion just now to start a debate on this. I suppose it is the intention of the honourable member to inaugurate a debate on the matter referred to by him, and that can be done without bringing in this motion. So I suggest that we proceed to the routine of the day, and as Mr. Rai Choudhuri was in possession of the House on the last day, I would request him to continue his speech and conclude quickly. He has already spoken for 50 minutes, on Monday, and if he would finish within 10 minutes it would be very convenient for every one.

Point of Order.

SJ. SUBODH KUMAR BOSE: Sir, I rise on a point which concerns the dignity of this House and the prestige of the members. At the last sitting one honourable member Mr. Annada Prosad Choudhuri made certain allegations against an honourable member on this side of the House. I understand those allegations are baseless and absolutely false and unfounded.

Mr. CHAIRMAN: That matter was closed that very day and I did not allow that honourable member to proceed further with those allegations. Why should you restart it to-day?

SJ. CHARU CHANDRA MAHANTY: On a Point of Order, Sir, on this question whether my friends in the opposite can discuss a matter which is.....

Mr. CHAIRMAN: I have given my decision on this matter, and I cannot allow any Point of Order on that very matter. We will now proceed with the business of the House.

Amendments to the motion of address in reply to the Governor's Speech. (Continuing from the 23rd June, 1952.)

SJ. MOHITOSH RAI CHOUDHURI:

সভাপতি মহাশয়, আমি গতকালকে পশ্চিমবঙ্গের শিক্ষা সম্বন্ধে রাজ্যপাল মহাশয় তাঁর অভিব্যক্তির ভিতর যা উল্লেখ করেন নি, সে সম্বন্ধে আমার যা বক্তব্য তার কতকটা বলেছিলাম। ধৈর্যের সঙ্গে শিক্ষকদের অভাব অভিযোগ সম্বন্ধে আমার বন্ধুগণ যে শুনেছেন, সেজন্য তাঁদের কাছে আমি কৃতজ্ঞতা জ্ঞাপন করছি। আমি বক্তা নই; সাংবাদিক হলেও, প্রধানতঃ শিক্ষকদিগের নিমিত্ত বক্তৃতা, বা লেখনীর মুখে এমন কোন অস্বিন্সফুলিঙ্গ সঞ্চার করতে পারিনি, যাতে বন্ধুদের শ্রুতকৃত হৃদয়ে অগ্নিশিখা উৎসারিত হতে পারে। তবে, যখন তাঁরা ধৈর্যের সঙ্গে ঐ কাহিনী ও শিক্ষার দুর্দশার বিষয় শুনেছেন, সেজন্য পুনরায় তাঁদের ধন্যবাদ জ্ঞাপন করছি। গতদিন আমি কলেজের “ডিসপার্সাল স্কিমের” কথা বলেছিলাম। অত্যন্ত আনন্দের কথা যে, আজ প্রধান মন্ত্রী মহাশয় উপস্থিত রয়েছেন। বাংলা দেশে—শ্রদ্ধা বাংলাদেশে নয়—ভারতবর্ষে অন্যতম শ্রেষ্ঠ শিক্ষাবিদ বোলো আমি তাকে গণ্য করি এবং তাঁর যে অগণিত “এডমায়ারার” আছে, আমি তার মধ্যে একজন। শিক্ষার অবস্থা, শিক্ষকদের দুর্দবস্থার কাহিনী তাঁকে শোনাতে পারব এবং আশা করি তিনি সেই অবস্থার প্রতীকার কল্পে চেষ্টা করবেন। “গভর্নরস স্পিচে” তার উল্লেখ নাই বাটে, সেটা স্কোডের কথা—কিন্তু সে স্কোড থাকবে না যদি তিনি নতুন কোরে সমস্যা সমাধানে প্রস্তুত থাকেন। “ডিসপার্সাল স্কিমের” বিরুদ্ধে আমার একটা কথা এই যে, দেশের অধিকাংশ কলেজের অবস্থা খারাপ; বিশেষ করে মফস্বলের কলেজের অবস্থা অত্যন্ত খারাপ। অবশ্য সেজন্য দুঃখ কোরে লাভ নাই। তবে যে সমস্যার আজকে উদ্ভব হয়েছে, তাতে অনেকের অবস্থা সঞ্জার্ন। শ্রদ্ধা তাই নয়। কলেজের অবস্থা যেমন খারাপ, স্কুলেরও তাই। আপনারা অনেক সময় অভিযোগ করে থাকেন যে কলেজে ও “সিফটে” কাজ করা হয়। কাজেই ভাল পড়া হয় না। একপরসায় দিগে অত্র সৎবাদের গান শোনা যায় না। শিক্ষকদের অস্বভূত, উপরাসী কোরে রেখে, শিক্ষার ব্যবস্থা হাতে পারে না। একথা বলা হয়ে থাকে যে, তাঁরা কলেজে বা স্কুলে বিগ্রাম করার জন্য আসেন। এটা সত্য কথা, অস্বীকার করি না, অধিকাংশ ক্ষেত্রে তাই। ফ্যাক্টরীর মত ও “সিফটে” কলেজ হলে পড়া ভাল হয় না। আপনারা পণ্ডিত কীরোদ বিদ্যাবিনোদের নাম শুনেছেন। মেদিনীপুরে সাহিত্য সম্মিলনীতে তিনি বলেছিলেন, “সিফটের স্টাটিলিগ সিংহী”, তা আপনারা জানেন। কিন্তু সিংহীনা না বললে “এফেই” হয় না। তাই আমরা

কি জ্ঞান না যে “প্রাইভেট টিউশন” করা উচিত না, বা ৪০ জন ছেলের বেশী ক্লাসে থাকলে পড়া ভাল হয় না? কিন্তু উপায় কি? স্বাধীন থেকেও বিশেষ কিছু সাহায্য আমরা পাইনি। কলেজের অবস্থা কি বকম তা একটু বুঝিয়ে দিতে হয়। ৫০ টাকা “ডায়ারনেস এলাউমেনস” কলেজের প্রফেসরদের, আর “১৭ পারসেন্ট” মাধ্যমিক শিক্ষকদের। “ডায়ারনেস এলাউমেনস” কিছু বাড়িয়ে দিন, এই তাঁরা চেয়েছিলেন। কিন্তু উত্তর পাওয়া যায়—টাকা নাই। প্রধান মন্ত্রীর সঙ্গে সেদিন দেখা হয়েছিল; অতীত সহানুভূতির সঙ্গে শিক্ষকদের অবস্থা, ও তাদের দুঃশার কথা শুনেছেন। এ নিয়ে বহুবার তাঁর সঙ্গে দেখা করেছি। প্রত্যেকবারেই তিনি অতীত সহানুভূতির সঙ্গে সমস্ত কথা শুনেছেন, কিন্তু বলেছেন—“টাকা নেই, কি করব?” কিন্তু আমি জ্ঞানি তিনি “আউট অব নাথিং” অনেক জিনিষ করতে পারেন। সুতরাং, আমি অনুবোধ করি বাজেটে যা ধরা হয়েছে তাই থেকে ভেবে চিন্তে দেখে আমরা যা চাই—অবশ্য যা চাই তার সমস্ত হতে পারে না, কিন্তু যা হয় তা করবেন। যদি তিনি তাঁর মন্ত্রীমণ্ডলীর সঙ্গে এবং এখনও যারা “ফাইন্যান্সিয়াল এডভাইসার” আছেন তাঁদের সঙ্গে বসে শিক্ষকদিগের জন্য কৰ্পাণ্ড করতে পারেন, তাহলে আমরা কৃতজ্ঞ হব। রাজস্বের শতকরা বিশ ভাগের এক ভাগ শিক্ষার জন্য হওয়া উচিত। শিক্ষাকে যদি “টপ প্রাইওরিটি” দেওয়া হয়, তাহলে এটা হতে পারে না তা আমি বিশ্বাস করি না। সকল সমস্যার মূল শিক্ষা একথা প্রধান মন্ত্রী মহাশয়কে বলার প্রয়োজন হবে না। আপনারা জানেন অধিকাংশ সমস্যার মূল, অজ্ঞানতার অন্ধকার। সুতরাং শিক্ষাব জ্ঞান যে খরচ সেটা যদি “ইনভেস্টমেন্ট” হিসাবে গণ্য করা হয়—তাহলে শিক্ষা সম্বন্ধে যত অভাব অভিযোগ তা দূর হবে।

তারপরে আর একটা কথা আমার “এম্‌প্‌লয়মেন্ট” লেখা ছিল। সেই যে “আনএম্‌প্‌লয়মেন্ট”, সেটা “মিডিল ক্লাস আনএম্‌প্‌লয়মেন্ট”। যারা পুরাতন খবরের কাগজের ফাইল পাঠ করেছেন, তাঁরা জানেন যে, “স্যার জন এডারসনের” সময় এই “মিডিল ক্লাস আনএম্‌প্‌লয়মেন্ট স্কীমের” কথা উঠেছিল।

(At this stage the red light was lit.)

আমার সময় হয়েছে। “আনএম্‌প্‌লয়মেন্ট” সম্বন্ধে প্রধান মন্ত্রী জানেন কতগুলি যুবক বেকার হয়ে রয়েছে। আশা করি তিনি তার প্রতিকার করবেন।

[9-40—9-50 a.m.]

Mr. CHAIRMAN: Janab Abdul Halim may now speak, please.

Sj. CHARU CHANDRA MAHANTY: I want a ruling from the Chairman, whether my friends in this house can discuss a question which is not at all mentioned in His Excellency the Governor's Speech. It is beyond the jurisdiction of the Constitution—it is against the Constitution.

Mr. CHAIRMAN: The scope of His Excellency's Speech is fairly wide, and it would be quite in order if reference is made to anything relating to the administration.

Sj. CHARU CHANDRA MAHANTY: It is beyond the Constitution, Sir. (Cries of “Sit down” “Sit down” “Obey the Chair” from the Opposition Benches.) It is against an Article of the Constitution.

Mr. CHAIRMAN: Leave has been given. Could you kindly see me in my chamber?

Janab ABDUL HALIM:

মাননীয় চেয়ারম্যান, আমি মাননীয় রাজ্যপালের ভাষণে অতীত হতাশ হয়েছি। রাজ্যপাল মহোদয় তাঁর বাছাইকরা ৩০ জন সদস্য নিয়ে গঠিত মন্ত্রীমণ্ডলীর সুখী পরিবারের এক মনোরম ছবি এঁকেছেন। তাঁরা ভবিষ্যতে রাষ্ট্রের সর্বাঙ্গীন উন্নতি জন্য কল্যাণকর কি কি কাজ করবেন—সেই কথা তাঁর ভাষণে বলেছেন। কিন্তু পশ্চিম বাংলার যে মূল সমস্যা—বাংলার কৃষকদের সমস্যা, বাংলার জনসাধারণের খাওয়া-পরাহার সমস্যা—সেই সম্পর্কে তাঁর ভাষণে আমি কিছু পাইনি। জমিদারী প্রথা উচ্ছেদের প্রশ্নকে তিনি একেবারে এড়িয়ে গেছেন। কৃষকদের হাতে জমি দিবার কোন আশ্বাসই তাতে নাই। কমিউনিটি উন্নয়ন পরিকল্পনা, কতকগুলি কল্যাণী টাউন-শীপ্‌ স্কীম, রেসিডেন্সিয়াল রক নির্মাণ প্রভৃতি বড় বড় গালভরা কথা তিনি বলে গেছেন। কিন্তু দুঃস্থ সাধাবণ মানুষ, শ্রমিক, কর্মচারী, নিম্নমধ্যবিত্ত নরনারীদের দুঃখকষ্ট মোচনের জন্য এবং বস্ত্তী নিয়ন্ত্রণের জন্য ও শ্রমিক-জনসাধারণের গৃহ সমস্যা সমাধানের জন্য সরকার কি করেছেন বা করছেন, সে বিষয়ে তিনি কোন কথা বলেন নাই।

আজকে জমিদারী প্রথার ফলে বাংলায় কৃষকরা সর্বস্বান্ত। তাদের গৃহ নাই, খাবার নাই, লাঙ্গল-গরু নাই। সব জোত্‌ জমি অকৃষক জমিদার ও জোতদারদের হাতে চলে যাচ্ছে। ফলে দেশে যথেষ্ট খাদ্য শস্য উৎপন্ন হচ্ছে না। গভর্নমেন্টও তা স্বীকার করেছেন। শতকরা চল্লিশ ভাগ জমি অকৃষকদের হাতে। তা ছাড়া প্রচুর পতিত জমিও অনাবাদী পড়ে রয়েছে। কিন্তু কৃষকদের মধ্যে বিনা মূল্যে সেই জমি বণ্টন করে খাদ্যোৎপাদন বৃদ্ধি করবার কোন প্রচেষ্টাই সরকার এখাবৎ করেন নাই। অথচ সরকার লক্ষা লক্ষা কথায় বলেছে “অধিক ফসল বাড়াতো”। খন্ডের টপ্পার উপর চাষ করলে অধিক ফসল জন্মায় না। চাষীর হাতে জমি দিয়ে উৎপাদন বৃদ্ধির চেষ্টা না করলে খাদ্য সমস্যার স্থায়ী সমাধান হতে পারে না। বাংলা দেশের খাদ্য ঘাটতি একটা স্থায়ী ঘটনায় পরিণত হয়েছে। ১৯৪০ সালে বাংলা দেশের ৫০ লক্ষ লোক দুর্ভিক্ষে মারা গেছে। সেদিন “ফেমিন

কমিশন"এর রিপোর্টে বলা হয়েছে—এই দৃষ্টান্ত সৃষ্টি করা হয়েছে। সেদিন ইংরেজ ছিল—আমরা মনে করেছিলাম—ইংরেজরাই এদেশে সেই দৃষ্টান্তের জন্য দায়ী। গত চার বছর কংগ্রেসের হাতে শাসন ক্ষমতা রয়েছে—তারা দৃষ্টান্ত প্রতিরোধের জন্য কি করেছেন? পরশুদিন দৃষ্টান্তপীড়িত মানুষ খাদ্যের জন্য আবেদন করেছিলেন প্রধানমন্ত্রীর কাছে, কিন্তু প্রধানমন্ত্রী মহাশয় খাদ্যের পরিবর্তে তাদের লাঠি দিয়ে বেদিয়ে দিয়েছেন। এমন কি অনেক মহিলাকেও সেদিন লাঠিচার্জ করা হয়েছে।

8J. DEVAPRASAD CHATTERJEE: Sir, on a Point of Order. Does it refer to Governor's Speech?

8J. NIRMAL CHANDRA BHATTACHARYYA: Yes, it does.

Janab ABDUL HALIM: It is relevant. I am dealing with famine condition and zamindari system.

8J. DEVAPRASAD CHATTERJEE: Sir, I expect a ruling from the Chair.

Mr. CHAIRMAN: I think I gave the ruling. It arises out of the discussion.

Janab ABDUL HALIM:

কাজেই বাংলা দেশের স্থায়ী খাদ্য সমস্যার সমাধান করতে হলে জমিদারী প্রথা উচ্ছেদ করতে হবে। কৃষকের হাতে জমি বণ্টন না করলে বাংলা দেশের খাদ্য সমস্যার কোনদিনই সমাধান হবে না, এই ঘাটতি বরাবরই থেকে যাবে। সরকার পশ্চিম বাংলার খাদ্য উৎপাদন বৃদ্ধি করার জন্য যদি জমিদারী "সিস্টেম" তুলে দেন, তাহলে পরে খাদ্যের উৎপাদন বৃদ্ধি পেতে পারে। কৃষক হাতে যদি চাষের জমি পায়, তাহলে তারা স্বাধীনভাবে অধিক ফসল উৎপাদন করতে পারবে। কিন্তু সরকারী নীতি এর সম্পূর্ণ বিপরীত পথে চলেছে। বর্তমান না কৃষকের হাতে জমি দিয়ে তাদের সমাজ জীবনে পুন প্রতিষ্ঠা করা হবে, ততদিন এই খাদ্যাভাব থাকবেই। বাংলার কৃষক ও জনসাধারণকে মানুষের মত বাচতে হলে, খাদ্য সংকটকে সম্পূর্ণভাবে দূর করতে হলে—জমিদারী প্রথার উচ্ছেদ সর্বাগ্রে দরকার। সরকার যদি এই নীতি গ্রহণ না করেন, তাহলে জনসাধারণই অগ্রসর হয়ে তাদের সুসংহত আন্দোলনের মারফৎ সে কাজ করতে বাধ্য হবে।

খাদ্যসংকট ও সমাধান সম্পর্কে আমি কিছু বলতে চাই। রাজ্যপালের ভাষণে পশ্চিমবাংলার খাদ্য-পরিস্থিতি সম্পর্কে সরকারী উদ্বেগের পরিবর্তে খুব আশ্ব-সন্তুষ্টির ভাবই ব্যক্ত হয়েছে। পশ্চিম বাংলায় যে ক্রমবৃদ্ধমান খাদ্যসংকট দেখা দিয়েছে, তার আশু সমাধানের কোন নির্দেশ তাঁর ভাষণে বা সরকারী "প্রোগ্রামে" স্থান পায় নি। পশ্চিম বাংলার দৃষ্টান্ত পৰিস্থিতিতে কার্যতঃ অস্বীকার করা হয়েছে। কেন্দ্রীয় খাদ্যমন্ত্রী মাননীয় কিদওয়াই সাহেব যে সামান্য সাহায্যের প্রতিশ্রুতি দিয়েছিলেন, মাননীয় রাজ্যপালের মুখে পশ্চিম বাংলা সরকারের সেই নীতিই শূন্য প্রতিদ্বন্দিত হয়েছিল। এই প্রতিশ্রুতিতে দৃষ্টান্ত প্রণীত অগ্রণের অর্থাভাবী এবং বাংলাব সাধারণ অভাবগ্রস্ত মানুষের প্রকৃত কোন উপকার হবে না। বর্তমানে যে খাদ্য ঘাটতি চলছে, সেই খাদ্য ঘাটতির হাত থেকে বাচতে হলে বিদেশ থেকে খাদ্য এনে এবং যে সমস্ত খাদ্য দেশে মজুত আছে তা সংগ্রহ করে এই খাদ্য ঘাটতি পূরণ করতে হবে। গ্রামাঞ্চলের মজুত খাদ্য উদ্ধারের প্রস্নকে চাপা দিয়ে—এরদান এলাকায় "ইকনমিক সপের" নামে খাদ্য মূল্যকে বাড়িয়ে দিয়ে এবং দৃষ্টান্তের মূল কারণ ও পশ্চিম বাংলার কৃষি সংকটকে সম্পূর্ণ এড়িয়ে গিয়ে সরকার যে সামান্য খয়বাতব প্রতিশ্রুতি ও গালভরা ভরসা দিয়েছেন, তা অনশনাক্রান্ত বৃদ্ধক্ মানুষের প্রতি নিষ্ঠুর পরিহাস ছাড়া আর কিছুই নয়।

খাদ্যের ঘাটতি ও চোরাকারবার—এই দুটো জিনিসই আমাদের দেশে পাশাপাশি বর্তমান রয়েছে। পশ্চিম বাংলায় ১৫ লক্ষ টন খাদ্য ঘাটতি। সরকার নিজেও সেকথা স্বীকার করেছেন। আর এই বাংলা দেশেই জোতদার জমিদারদের নিকটও কিছু উৎস্বত খাদ্য আছে। তা ছাড়া চীন, সোভিয়েট ও অন্যান্য দেশ থেকে—মাকার বর্ম ইত্যাদি দেশ হতে খাদ্য আমদানী করে ও মজুত খাদ্য উদ্ধার করে খাদ্য সমস্যার সমাধান যদি সরকার অচিরে না করেন, তাহলে গোটা দেশই শ্মশানে পরিণত হবে।

পঞ্চাশ লক্ষ দৃষ্টান্তগ্রস্ত নরনারীর জন্য কয়েক হাজার টন খাদ্য ভিক্ষা দিলেই বাংলার খাদ্য সমস্যার সমাধান হতে পারে না। এ সম্পর্কে সরকারের কোন সুস্পষ্ট নীতি আজও আমরা দেখতে পাচ্ছি না। সরকার শূন্য অর্থভাবের অজহাত দেখিয়ে থাকেন। কিন্তু এদিকে ৩০ জন মন্ত্রী পোষবার জন্য টাকার অভাব তাদের হয় না। আমাদের ঋণ্ডিত এই ছোট বাংলা দেশে ৩০ জন মন্ত্রীর জন্য বছরে অন্ততঃ ৩০ লক্ষ টাকা খরচ হবে। আর ওদিকে হাজার হাজার লোক না খেয়ে মরছে, সেদিকে আমাদের সরকারের কোন দৃষ্টি নেই।

তারপরে রেশনিং ব্যবস্থা সম্পর্কে কিছু বলছি। প্রমিকরা কল কারখানার হাড়ভাঙা পরিশ্রম করে। তাদের বলা হয় তোমরা অধিক উৎপাদন কর। অথচ সরকার শহরের সাধারণ মানুষ, মেহনতী প্রমিক, মধ্য ও নিম্ন মধ্যবিত্ত শ্রেণীর জন্য পর্যাপ্ত রেশনের কোন ব্যবস্থা করেন নাই। সাধারণ মানুষ দু-সের, আড়াই সের রেশনে জীবনযাপন করছে। প্রমিকদের সাড়ে চার সের ও সাধারণ মানুষের জন্য সাড়ে তিন সের রেশনের দাবীর প্রতি সরকারের কোন দৃষ্টি নেই। কিন্তু গালভরা প্রকাণ্ড প্রকাণ্ড পরিকল্পনার দ্বারা দেশকে উন্নত করার স্বপ্ন তাঁরা দেখেন। আজও সরকারী খাদ্য মূল্য কমান হচ্ছে না, বরং ক্রমশঃ বাড়ান হচ্ছে।

কলকাতা অঞ্চলে ৭০৮০ লক্ষ লোক রেশন এলাকাভুক্ত। কিন্তু রেশনের যে চাল দেওয়া হয় তা যথেষ্ট নয়। সেই জন্যই তারা চোরা বাজারের আশ্রয় গ্রহণ করতে বাধ্য হয়। সরকার নিজেও সে কথা স্বীকার করেছেন; কেন্দ্রীয় খাদ্যমন্ত্রী কিদোয়াই সাহেবও স্বীকার করেছেন দৈনিক ৫১৬ হাজার মণ চাল চোরা বাজারে বিক্রী হয়। অথচ বাংলা দেশের সরকার নাকি তা জানেন না। বাংলা দেশের এক কেটী পনের লক্ষ লোক আজ অনাহারে দিন কাটাচ্ছে। তাদের জন্যও কোন রেশনের ব্যবস্থা নেই। বাংলা দেশের কৃষকদের কাছ থেকে যে খাদ্য শস্য জোর করে সংগ্রহ করা হয়, সেই সংগৃহীত চাল রেশন এলাকাভুক্ত শহর অঞ্চলে দেওয়া হয়। আজ বাংলা দেশের চালের দাম ৬০।৭০।৮০ টাকা হয়েছে। সাধারণ লোকে এত চড়া দরে চাল কিনতে পারে না। ঘাটতি এলাকায় চালের দাম বেশী। কিন্তু বাড়তি এলাকায়, আমি বীরভূম গিয়েছি, সেখানে দেখেছি ২৮।৩০ টাকা মণ দরে চাল বিক্রী হচ্ছে। সাধারণ মানুষ গরীব চাষীদের কাছ থেকে কম দরে খাদ্য সংগ্রহ করে, পরে তাদের বলা হয় তোমরা চড়া দবে চোরা বাজার থেকে চাল কেনো। তা কি করে সম্ভব হয়, বুঝি না। কিদোয়াই সাহেব বলেছেন কলকাতা অঞ্চলে রেশনে যে চাল পাওয়া যায়, তা ছাড়াও “ফ্রি মার্কেট” এ চাল পাওয়ার ব্যবস্থা করছি। কিন্তু তার ফলে কি হবে? ৩৫ টাকা দরে কিছু লোকে সেখানে চাল কিনতে পারবে বটে—কিন্তু তাতে চোরা বাজার কালেক্ট করা হবে। এইভাবে ফ্রি মার্কেট সৃষ্টি করলে ও নির্যস্তন বা রেশনিং উঠিয়ে দিলে শ্রমিক ও মেননতী সাধারণ মানুষের সম্বন্ধ ক্ষতি হবে। কারণ অত চড়া দরে চাল ক্রয়ের ক্ষমতা তাদের নাই। এতে অবশ্য চোরা বাজারীদের মূল্যমা লুণ্ঠনের খুব সুবিধা হবে। আমি তাই বলি বিনিয়স্তন প্রথা উঠিয়ে দিলে—সাধারণ মানুষের বিশেষ ক্ষতি হবে। এ বিষয়ে আমি আগেই সরকারকে হুঁসিয়ার করে দিতে চাই।

Sj. TARA SANKAR BANERJEE : On a point of information, Sir. আমরা বিনিয়স্তন প্রথা তুলে দেই, না, নির্যস্তন প্রথা তুলে দেই?

[9-50—10 a.m.]

Janab ABDUL HALIM : নির্যস্তন প্রথা তুলে দেই।

রেশন দোকানের মারফত খাদ্য বিতরণের ব্যবস্থা করার নীতি সরকারকে গ্রহণ করতে হবে। শ্রমিকদের ৩৯ সের রেশন ও সাধারণ লোকের ৩৯ সের রেশনের ব্যবস্থা করতে হবে। কিন্তু আমাদের কংগ্রেসী সরকারের খাদ্যনীতি ঠিক এর বিপরীত পথে চলছে। খোলা মার্কেটেব পথে ক্রমশঃ রেশন প্রথা উঠে গেলে খোলা মার্কেটেব দব স্থায়ী মূল্যে প্রতিষ্ঠিত হবে। ফলে লক্ষ লক্ষ মানুষের উপর দুর্ভিক্ষের অভিশাপ নেমে আসবে এবং গোটা দেশ একটা মহাশ্মশানে পরিণত হবে।

খাদ্যমন্ত্রী হযত বলবেন দেশে খাদ্যাভাব রয়েছে বটে, কিন্তু চোরা কারবার নেই। কাজেই এই সমস্যার সমাধান সমাধান হতে পারে না। কিন্তু অন্যান্য দেশে কি করে তারা অতি অল্প সময়ের মধ্যে সমস্ত খাদ্য সমস্যার সমাধান করেছে? চীন দেশে আমরা দেখতে পাচ্ছি—তারা দু'বছরের মধ্যে খাদ্য সমস্যার সমাধান করেছে এবং আমাদের দেশে চাল পাঠিয়ে সাহায্য কববার আগ্রহ প্রকাশ করছে। কিন্তু আমাদের গভর্নমেন্ট সেই সাহায্য গ্রহণে রাজী নন। অথচ এই গভর্নমেন্টই আমেরিকা থেকে গম এনে এদেশের সাধারণ মানুষ, সাধারণ চাষী যারা গম খেতে পারে না, তাদের কাছে ২২ টাকা বা ২৫ টাকা দরে গম বিক্রী করার ব্যবস্থা করেছে। তারা বলছেন যে, গম খেতে শিখতে হবে, কেননা চাল পাওয়া যায় না। আমরা জানি বিদেশে ফসল চাল পাওয়া যায়। আমেরিকায় যদি গম পাওয়া যায়, তাহলে “ফর ইন্ড” থেকে কেন চাল আনা যাবে না? এর উত্তরে মন্ত্রীমহাশয় হযত যুক্তি দেন যে আমরা গম হজম করতে শিখতে পারি। ইংরেজের মামলে যে অবস্থা ছিল, গত চার বছরের কংগ্রেসী শাসনে তার কোনই মৌলিক পরিবর্তন হয় নি। লক্ষ লক্ষ চাষী শ্রমিক অনাহারে থাকছে। এ বছরের খাদ্য ঘাটতি পূর্বতন বছরগুলিকে অতিক্রম করে গেছে। ফলে অবস্থা আরও শোচনীয় হয়ে পড়েছে।

খাদ্য সমস্যার সমাধানের দু'টি দিক আছে। একটা খাদ্যোৎপাদন, অন্যটা খাদ্য বণ্টন। কাজেই সেই খাদ্যোৎপাদনের ও খাদ্য বণ্টনের সুদৃষ্ট ব্যবস্থা যদি না করা হয়, তবে, গভর্নমেন্ট দেশকে শ্মশানে পরিণত করবেন।

দুর্ভিক্ষপীড়িত অঞ্চলে খাদ্য সাহায্যের যে ব্যবস্থা করা হয়েছে, তাতে আমরা জানি সংগ্রহ “গ্রাটাইটাস রিলিফ” দেওয়া হয় প্রতি লোককে এক টাকা, ছেলেকে দশ আনা। অনেক অঞ্চলে গরুর জন্য টাকা বিলি করা হয়েছে। কান কোন জায়গায় চার হাজার বিঘা জমি চাষের জন্য মাত্র ২৫০ টাকা ঋণ দেওয়া হয়েছে।

আমি কয়েকটি বিষয়ে সভাপতি মহাশয়ের দৃষ্টি আকর্ষণ করতে চাই। গভর্নমেন্ট সাহায্য দিয়েছেন রেশনখালি ও অন্যান্য দুর্ভিক্ষপীড়িত অঞ্চলে। কিন্তু সে সব দুর্ভিক্ষ এলাকাকে দুর্ভিক্ষ এলাকা বলে ডাকার করছেন না। আমি দু'একটি জায়গায় অনাহারে মৃত্যুর কথা উল্লেখ করছি। এনং তুয়াখালী ইউনিয়নে প্রহ্লাদ বাড়লি, পিতা উমেশ বাড়লি, অনন্ত মন্ডল, পিতা বিনোদ মন্ডল, গোবিন্দ ঘরামী, পিতা উপেন রামাী। তারপর ঝিকড়ার (হোড়োয়া থানা) বলাই মন্ডল ও হাজরা মন্ডল অনাহারে মারা গেছে। অথচ ভিনমেন্ট বলছেন আমাদের দেশে দুর্ভিক্ষ নয়, সামান্য খাদ্য সংকট হয়েছে। লোকে না খেয়ে মরছে, অথচ ভিনমেন্ট তা স্বীকার করছেন না। গভর্নমেন্ট যে সাহায্য পাঠিয়েছেন তা সামান্য, তাতে দুর্ভিক্ষের প্রতিরোধ হতে পারে না। রুটী তৈরী করার জন্য ১০।১৫ হাজার চাকী বেলুন পাঠিয়েছেন কিন্তু তাদের প্রকৃতবার ক্ষমতা না থাকলে তাতে কি উপকার হবে। গভর্নমেন্ট যেভাবে সাহায্য করছেন তাতে খাদ্য সমস্যার সমাধান সম্ভব নয়। “সায়র”, আর এক মিনিট সময় চাইছি। বাংলা দেশের জমি চাষীর হাতে যদি না দেওয়া হয় তাহলে কল্পেই অধিক খাদ্য হবে না এবং খাদ্য সমস্যার সমাধানও হবে না।

আর একটা কথা বলি—গভর্নমেন্টের নীতি প্রমিকের স্বার্থ বিরোধী। গভর্নমেন্ট প্রমিক স্বার্থ রক্ষার জন্য কোন পরিকল্পনা করতে পারেন নি। প্রমিকের স্বার্থ পদদলিত কোরে ইউনিয়নগুলিকে ভেঙে দেওয়া হয়। তাদের স্বাধীন ইউনিয়ন গড়ার সুযোগ দেওয়া হয় না। তাই প্রমিকদের অবস্থা আরও খারাপ।

[10—10-10 a.m.]

Mr. CHAIRMAN: Mr. Charu Chandra Sanyal.

SJ. CHARU CHANDRA SANYAL: Mr. Chairman, when I go through the speech of His Excellency, I find that he has stoutly supported the creation of Deputy Ministers. Of course this has excited public criticism. I need not go into the details of the criticisms, but I come to the actual facts. It is said that Deputy Ministers possess a fund of knowledge, specially of local conditions. But the question is whether one Deputy Minister hailing from one district can have local knowledge of all the districts together. This is the difficulty. How can a Minister get all the experience and local knowledge through one Deputy Minister coming from one district? I think it would have been better to combine them into a Standing Committee, and any Minister wanting information might get a compounded information of all the people, information of local knowledge of all the districts, and a Standing Committee probably would have worked better. The Committee might have only one office instead of so many different offices. It would have been economical. Next, the touring expense would have been little or much less because of less paraphernalia required for the tour. Thirdly, the accommodation problem would have been simpler. It has become baffling. I hope the Government would think over the matter. The Chief Minister is a scientist; he loves experiments. He has launched practically a costly experiment. But I do not mind the cost. If he can extract work, good work out of this experiment, it is well and good, and I hope this experiment would be subjected to scrutiny after six months of working. If it does not work well, I hope the Government would agree to review the whole situation.

SJ. SANTI DAS:

কিছুদিন “এক্সপেরিমেন্টের” সময় না দিয়ে কি করে “রিভিউ” করতে বলেন?

SJ. K. P. CHATTOPADHYAY: Operation will be successful but the patient will die.

SJ. CHARU CHANDRA SANYAL: Then the next question is tribal welfare. Of course I thank the Government for having initiated the welfare measures amongst the “totos”, a dying race living in the remotest corners of the district of Jalpaiguri and Bhutan. But what I feel is the word “tribe.” It is most dangerous. It was coined by the British to drive a wedge into our body politic. It is feared that some day in the future the tribal communalism may grow and instead of a psychological integration and consolidation of the whole of India, it may do the reverse, and a considerable misunderstanding may arise. Our past experience, specially with the Nagas in Assam, is a pointer. The sooner the expression is not used, I think, the better for the consolidation of India.

Then comes the “Grow More Food” campaign. I regret to say that this campaign has failed so far. A new experiment of intensive cultivation is going to be taken up. But the experiments done so far in the co-operative farms sponsored by the Government have not produced encouraging results. It would have been better to train up some people, some Science Graduates, in soil analysis, both physical and chemical, and to start small field laboratories to examine the soil on the spot and advise the growers as to the nature of crop they should grow or the nature of manure they should use. That would be more practical and simpler too. Supplying manure without proper analysis of soil is like supplying medicine without diagnosis of the disease. The field laboratories will serve as a bridge over the gulf separating the scientist from the farmer, and the object of the

Government, I think, would be better served by the field laboratory men. About 10 crores acres of land in West Bengal are under rice crop. Increase of production by even one maund per acre would be a great achievement. The useless crowd of the Agriculture Department may be activated along these lines. We expected some suggestion of like nature in His Excellency's Speech. Then the Agricultural College at Tollygunge "my Government have established a Degree College—" and so discussion on this point is practically a post-mortem examination, but I should say the effect of the dispersal scheme of the Government has been its centralization in Calcutta. This college should have been started far away from Calcutta either in the district of Nadia where the quantity of culturable waste is the highest in West Bengal or at Fatapukur Co-operative Society in Jalpaiguri where modern agriculture is already in progress. Agriculture degree-holders have so far failed to produce the desired result. Not a single of them has yet started a big and successful firm. Their advice is not taken up by the cultivators because they are not practical. So I think that it is better to produce practical men on the field to be of use to the poor cultivators and to the nation also.

[10-10—10-20 a.m.]

Then I come to the question of food. His Excellency has tabulated the result of begging from the Centre and the result is that we are advised to take more wheat in place of rice. But there is the forecast published in the "Calcutta Gazette" that production of *aman* rice is about 850 lacs of maunds excluding losses and seeds. And then the food received from the Central Government comes to 7 lac tons or 180 lac maunds. In total, West Bengal can expect one thousand lac maunds of food having only 10 per cent. of wheat. This ensures four maunds of food per head of population. According to His Excellency West Bengal expects to get 50 lac maunds more food from the Centre because out of 8.5 lacs Bengal has been given 6.04 lacs. So something more is expected. And Mr. Kidwai, the Central Food Minister, admitted in Parliament the other day that State Governments have a stock of nearly 8 hundred lac maunds of food, and certainly West Bengal has a share in stock. At least we can expect it. With such a good position we expected His Excellency to introduce the question of decontrol in his speech, this being the most opportune moment to try this experiment.

Now I come to relief work. The Government is to be thanked for the relief work started in the 24-Parganas, Nadia and Howrah. We expected His Excellency to speak a few words with reference to the psychological aspect of continued relief and continued control. The whole nation is reduced to a set of beggars with all its baneful consequences when at this moment honest living has become impossible. The food may reach the stomach anyhow but who cares to see that the whole nation is being mentally killed.

Now I come to the hospitals. I am sorry to note that instead of decentralization big hospitals are being started in and around Calcutta and Medical Colleges are being started in Calcutta. During the last four years district hospitals have been totally ruined. My recent experience in the hospitals of Jalpaiguri, Malda, Nadia and Murshidabad has been very unhappy. I was told that the cry of the Advisory Committee has produced no result. Sir Joseph Bhore Committee suggested uniform standard of medical education and at once the schools were closed down. Medical colleges were started at Calcutta only but nothing was done in the mufassil areas. The recommendation of the Bhore Committee of four hundred-bedded district hospitals has been given a decent go-by. It is time that Government should strain every nerve to start four hundred-bedded hospitals in every district town and also to start medical colleges in those places where medical schools have been disbanded. It is costly no doubt but we

from the other side of Calcutta do impress upon the Government the necessity of starting medical colleges in those places where the nucleus already exists. When the Carmichael Medical College at Calcutta could be started only with 130 beds, why should the mufassil places be disqualified on this account. We expected His Excellency to plead for the cause of every people. Whether we like it or not the possibility of a third world war cannot be shelved aside. Centralization at Calcutta is certainly dangerous.

Now I come almost to the last part (at this stage the blue light was lit). But I have got a warning. However, I shall try to confine myself within the warning period.

I now come to the thana and union health centres. Hospitals have been built but they could not be worked because there were cracks on the floors, cracks on the walls and curiously enough the roofs (they had flying roofs!) were such that a little strong gale would keep them flying and swinging in the air. We thank the contractors, we thank the supervisors but there is woe to the people. I draw the attention of the Government on this point and to tighten the screw a little bit.

Then I come to the last point about school masters. Sri Rai Choudhuri spoke at length about present teaching. He is a practical man in the line. What pains me most is the fixation of Rs. 60 as salary per month for a graduate teacher in a high school and only Rs. 37 for a trained primary teacher in a Board school. These hungry men cannot teach properly and our nation cannot grow well in the hands of these hungry men. I do not like to salt the wound any more. It is a pity that the future nation should be placed in the hands of these hungry men. I hope the Government should try to feed them well so that our boys can have better and more education. With these words I close my remarks on His Excellency's Speech and support the amendment of Sri Annada Prosad Choudhuri.

[10-20—10-30 a.m.]

SJ. DEBENDRA NATH SEN: Mr. Chairman, Sir. This year's Governor's Address is marked by four characteristics. Firstly, an utter lack of realisation of the seriousness of the food crisis in the State which has resulted in famine conditions in some areas. Secondly, absence of any reference to the fundamental need for socio-economic changes as would usher in a really new era. Thirdly, undue emphasis on the proposed Development Projects of the State with a view to divert the mind of the people from the shortcomings and weakness of the Cabinet. Lastly, tendering of advices on a very general line to the people and the press as a school teacher would administer to his pupils.

Sir, I take the last one first. For that, to a large extent reveals the mind and general approach of the Cabinet. The advices given are—certainly some amount of inconvenience and even hardship will have to be borne not willingly, but cheerfully whenever progress is to be made. This advice is corroborated by a quotation from the ecclesiastical polity of Hooker, a writer of the latter part of the sixteenth century. Who was this Hooker and what was the role he played during his era? Goethe, an authority on the history of political thought gives a description. He says, Hooker applied his theory to his famous institution which contains the theory for the support of the monarchy, and advised passive obedience to it. Let us ignore the element of monarchy. For, however one may try, it seems impossible to have it now. Of course, the attributes of monarchy one may try to emulate. One may try to be an autocrat; one may try to be a dictator; and that dictatorship becomes very dangerous when it is projected on the screen of a mock democracy. In any case, Hooker used his theory for securing passive obedience to the then authority. Is the Governor in his address and by his choice of this quotation aiming at that? The point will be made further clear if we come to the second advice. You should bear in mind—there is no humility in the tone

—I am quoting the language, you should bear in mind, cheese-paring is not always an indication of sound statesmanship. What does it mean? It means, do not be niggardly. If a minister is extravagant, if he spends more of the people's money than is necessary, if the administration is inordinately costly, if the cost of Police administration is the highest, and if the cost of Civil Supplies Department comes the next, well don't mind! Suffer it calmly; don't agitate, don't revolt! For, as a corollary to these advices, extravagance and loot are the hallmarks of sound statesmanship of the modern period. The Governor thus tells us in essence—if you have to suffer inconvenience and hardship, obey and obey in the name of progress. If there is extravagance, still obey and obey passively. It is here on the soil of Bengal that once a great man of ours said, "Freedom first, Freedom second, and Freedom always." But the new message of the newly appointed Governor of Bengal, not elected but appointed, and that too on the suggestion of the Chief Minister of the Province, is "servility first, servility second, and servility always".

SJ. DEVAPRASAD CHATTERJEA: Sir, the Governor's appointment is according to the Constitution and there should not be made any reflection on him.

SJ. DEBENDRA NATH SEN: I am referring to the Constitution. According to the Constitution he is appointed on the suggestion of the Chief Minister. It is a new Sermon on the Mount from the Christian Governor of the State although the tone of the advice is more dictatorial.

Mr. CHAIRMAN: Mr. Debendra Nath Sen, that is not in order.

SJ. DEBENDRA NATH SEN: What is not in order, Sir?

Mr. CHAIRMAN: The words "Christian Governor".

SJ. DEBENDRA NATH SEN: All right, Sir. It is a new Sermon on the Mount from the Governor of this State although the tone of the advice is more dictatorial than that of Hitler. It lacks markedly the virtue of Christian humility. The other characteristics follow as a corollary from this perverted and reactionary project. Is it not on the food crisis that the Address should have been concentrated and laid emphasis? Did not Mahatma Gandhi say that the only form in which God dare appear before a hungry man is in the shape of food. The level of prices of cereals has shot up beyond the reach of the purchasing capacity of the public. There is general distress everywhere. Over and above there are famine conditions in some areas. Reports of death due to starvation are pouring in. A generation is getting famished with the possible repercussions on generations to come. A nation physically maimed and psychologically abnormal is emerging. Our sisters are reported to be selling their honour for the sake of a few morsels of food and the Governor goes on sermonizing. What then is this famine due to? It is a natural phenomenon which could not be foreseen and controlled? Famine is not like a hurricane; it is not like an earthquake; neither is it like a volcano—a sudden abrupt visitation. Famine takes time to come. It has a process and in the process it gives abundant indications and warnings of its advent. These warnings had come. The embankment in the various parts of the district of 24-Parganas broke down. Saline water began to pour in devastating the crop and rendering the fields unfit for cultivation—not for one year only but for several years to come. Even these warnings were voiced by Sri Charu Chandra Bhandari, an M.L.A., and by the Praja Mandal Samity of Sunderbans. Nobody paid any heed. Yet it was so easy to repair the few damages in the embankments. The money involved would have been paltry. Thus the advent of famine in 24-Parganas at least was remediable. Why was it then not remedied? Why then no steps were taken to repair the damages in the embankments in time? Where were our officers—what were they doing—where was the Irrigation Department? The famine in that district is thus

a man-made one. It arose because Government was callous and indifferent and because it did not do what it should do. Should then the Government and its officers go unpunished? Should those responsible for maiming our brothers, our sisters, our children, remain untraced and unaccounted for? If food is being rushed up now—we are not being told and we do not know how far it is being done—if test relief centres are being opened, if fair prices shops are being started now and if all these steps are expected to mitigate the crisis, then why were these steps not taken beforehand? Why were people allowed to suffer and starve, die and then succour given? I ask for a reply from the Food Minister.

[10-30—10-40 a.m.]

I am glad that he has been resuscitated by the Chief Minister for, otherwise, the culprit would have gone uncondemned and unpunished. Let me try to dive deeper into the problem of food crisis. References have been made by S^r. Charu Chandra Sanyal also. But I will draw upon other facts. Is there any overall shortage in the supply of rice in this State? That is the crucial point. If there is shortage, then all this cordonning, high prices and the concomitant profiteering and hoarding might come in. But if there is no shortage then what is the necessity of these controls, these procurements and all these things? So I ask, Sir, is there any overall shortage in the supply of rice in this State? The Government figures show there is none according to the figures submitted by the Government before the conference of non-Congress M.L.A's and M.L.C's. The total quantity of cereals available for consumption after deducting 10 per cent. for seed and wastage is 36.35 lacs of tons of rice or roughly 10 crores maunds of rice. So we have got that amount and the total population is 2.48 crores. Converting this figure into the requisite number of effective adults by multiplying by .8, an accepted international formula, the total adult population is two crores. Therefore, we have got 10 crores maunds of rice for two crores of adult people and the average is 5 maunds per year or a little over half a seer per day for every one. If the figures are correct, Sir, there is no deficit. If the figures are not correct then the Minister should not have supplied such figures to us. There is no escape for him. He stands self-condemned. He has created his gallows himself. If there is still a food crisis what is that due to? It is due to procurement and control, due to failure to check hoarding and profiteering. The Food Minister I know will not admit this simple fact. I will ask in all humility to place it before an expert committee, place your figures and tell us where is the deficit, where is the necessity for all these things. I know he will not give a direct, simple reply. He will avoid it. He did so in the past when I challenged him of having wasted peoples' money to the tune of Rs. 15 crores for the years 1949-50 and 1950-51. In reply to a question of mine asking for stocks of cereals not in money value but in maunds he gave figures which revealed that the stocks for the year 1949-50 was short by about 50 lakhs of maunds of rice and for the year 1950-51 by about 64 lakhs maunds of rice. The money value of the two together bring that figure to 15 crores. He did not give any reply then. He sat mum. Culprits before Courts often feign dumbness. That is the greatest protective weapon in the hands of habitual culprits. Perhaps, the Food Minister is following the advice of the Governor. For, is not the Food Minister's policy opposed to cheese-paring? Is he not carrying a State business of 60 crores of rupees every year but at a loss? Does he not buy rice at Rs. 12-14 and sell at Rs. 17 per maund the highest margin that any State maintains? Does he not consume more than 3 crores of State revenue every year in running his department? He does, and therefore, the Governor comes to his rescue by giving us the advice he has given. The Food Minister appears sometimes to be offering an argument in favour of maintaining procurement and control even though there is no shortage. His argument is that since he has to feed Calcutta and the industrial areas that are non-productive, he will have to keep procurement, control, permits and

licences. But Mr. Kidwai, the Food Minister for the Centre, in his recent visit to Calcutta has pricked that bubble too. "All right," he says "I will take the responsibility for Calcutta and the industrial areas. Go on and make West Bengal free of the bogey of procurement, of control, of corruption, of nepotism and all those things attendant thereon. If Calcutta wants more rice, I will give them more. I will have started shops where cereals will be sold at higher than the ration price but at lower than the black-market price." He said very aptly, "I will legalise black-marketing."

Here was an enunciation of a new food policy which would have ushered in a new era, not a new era of the type hinted at the address, but a new era giving joy and life to the people of West Bengal. But the West Bengal's Famine Minister is out to sabotage it. This new policy was to be given effect to immediately according to Mr. Kidwai. But Bengal's Food Minister says "No. Let us wait for the next year." I charge him with sabotaging this new policy enunciated by the Food Minister for the Centre. Did not the Centre wire him to reduce the price of wheat by Rs. 2 per maund? Have not some other Provinces done so? Yet, our Food Minister would delay the reduction. He has been asked for clarification as to, since when this reduction is to be given effect to, as if such a clarification was at all necessary. He did not send a wire to the Centre for reducing the price just to see that the reduction is delayed. Even if a wire was not sent, and clarification was necessary, this could have been obtained by trunk call. Why this letter? Look at the effect. Stockists of wheat will get a time lag, the *fatka* business will flourish and the people continue to be crushed under the impact of inordinately high prices. What is the motive, Sir, behind all this delaying tactics? (At this stage the blue light was lit.) Sir, I would pray for more time. If fact, on the first day we asked for more time and we were given an assurance by you that we would be given sufficient time for carrying on our debate on the Governor's Address.

Mr. CHAIRMAN: All right, you carry on for some time more.

SJ. DEBENDRA NATH SEN: What is the motive behind the delaying tactics? It is not difficult to find it out. For, is not the whole Congress machinery in West Bengal founded on the system of permits given, licences issued, contracts for the transport and godowns sanctioned and flour mills favoured? Is there not corruption, wastage and loot in the Civil Supplies Department, the backbone of the Congress edifice in this State? The motive therefore is clear. Let the people suffer. Let them die. But let the tainted caucus live.

I come now to the Development Project, Sir. It is being trumpeted only to deceive the people. It is a colossal hoax. Every year a huge amount is allocated for the purpose. The House passes it ungrudgingly because everybody wants to see West Bengal develop. But once money is granted several things follow. Firstly, the money that is sanctioned is not spent for the purpose. On an average every year Rs. 15 crores is ear-marked for Development Projects. A huge balance is left unused. A portion of this huge balance is utilised for other purposes. In fact, the Development Department is a milch cow to be drawn upon when there is any need of money for other departments to be expended in a way which cannot be disclosed.

[10-40—10-50 a.m.]

SJ. DEVAPRASAD CHATTERJEA: Will you produce facts?

SJ. DEBENDRA NATH SEN: Certainly I will be glad to produce them. In fact I have got some already. Actually Development Projects are like the proverbial but helpless children of the mother crocodile at the mercy of the sly fox who exhibits these children frequently and conveniently for its own benefit and ultimately devours them. The second feature of the Development Department is that on most of the projects the Government is incurring

a loss. Certainly one would not have expected profit immediately from the Mayurakshi project, but what is there from a profit being earned from the State Bus system? The gross receipt in the year 1951-52 from sale of tickets is Rs. 53 lakhs. The net loss is Rs. 20 lakhs. I do not know the proportion; the gross receipt is Rs. 53 lakhs and the net loss that year is Rs. 20 lakhs. During the last three years the total net loss in the State Transport Department is Rs. 43 lakhs. The total capital involved is Rs. 1.68 lakhs, and thus 1/4th of the capital has already been eaten up. Another three years, we will succeed in completely wiping out the whole of the capital. Yet a private individual even with one bus makes a decent profit, but the State has got not less than 236 buses. Bombay makes a decent profit, so does Uttar Pradesh, so also does Bihar, but Bengal incurs a loss. The loss certainly cannot be due to the public travelling but not paying; that is the new argument being advanced by the department—I have seen it in the Press, it cannot be due to that, Sir, neither can it be due to the employees' stealing. If that be so, the gross receipt would have fallen, but the gross receipt is as high as that in Bombay and in other Provinces. So, those arguments do not stand. The cause lies in the maladministration and in nepotism. Most of the Development Departments, as I have already said, are only incurring a loss. I give a list below:—

	Rs.
Electricity Supply Undertakings, etc	12,000
Silk Dealers and Co-operatives	50,000
Road Transport Scheme	20,17,000
Brooklyn Ice Plants	1,33,000
Central Livestock Research at Haringhata	9,99,000
Deep-sea fishing by trawlers	2,59,000
State trading scheme of Food Procurement, etc.	2,89,19,000

All these figures relate to the year 1951-52. The total of all these losses will be in the region of Rs. 3 crores.

The third phenomenon in this connection is that not only losses are being incurred, but there are no visible or appreciable results flowing from those projects. People would willingly undergo inconveniences and hardships if there is progress. Every birth is accompanied by pang. Every new life is born of the death of an old one. Everybody knows it, and even the criminals realise it. We need not wait for the Governor to deliver his address for telling us that. Even then one must realise, but how to describe this state of affairs where there is pang but no birth, where there is death but no new life in its place, where there is inconvenience and hardship but there is no progress! Is it not something unnatural? Does it not deserve a scrutiny, a change and a revolution?

The last but not the least characteristic of the Address which must have been astonishing—inside and outside the House is the absence in it of any reference to the abolition of the zamindari system. This is astonishing. Does it mean abandonment of the policy of abolition of rent-receiving interests within the State, a policy professed so long by the Congress and introduced already in quite a number of States? Was not this policy a major content in the election manifesto during the last general election? It is a serious phenomenon and the Cabinet owes an explanation to all. Well, having utilised Pandit Nehru and the Congress during the last elections, does the ruling caucus in West Bengal want to deny both? Is it a symptom of revolt against Nehru, a revolt persistently nurtured and engineered by the reactionary group within the Congress? Yet, it is this one thing alone, Sir, that can enthuse the masses and create a psychological exhilaration among them. On this abolition also rests the basic foundation of the second revolution and the greater one—the socio-economic one. Sir, nobody, even an institution, can remain static. Congress

must either go forward or it must swing backward. This backward swing is already reflected in the abandonment—may be temporary; we do not know, we have not been told—of the policy of abolition of the zamindari system. Unlike other countries capitalism in India, instead of being the revolutionary vanguard against feudal landlordism (At this stage the red light was lit).

Sir, I want a few minutes more.

Mr. CHAIRMAN: I will give you one minute more.

SJ. DEBENDRA NATH SEN: In conclusion I would like to say that we congratulate, rather I feel tempted to congratulate, the Chief Minister for having this time brought in the middle class in his Cabinet compared with the previous one. It is really a middle class Cabinet. But the middle class in Bengal has got a dual role: one section is aligning itself with the people and the other section still likes to remain as a tail of capitalism. We do not know what this middle class friends in the Cabinet will do. They have failed once. They have not been able to influence the Address. They have allowed reference to the abolition of zamindari system to be dropped. Therefore a danger comes to us, and I therefore want to give a warning that the British had many constructive achievements to their credit, but it came of no avail to them. All these talks of developments also would be nothing, as this fundamental thing remains unaccomplished, that is to say, the abolition of the zamindari system.

Mr. CHAIRMAN: Mr. Debendra Sen, I have got to make one observation about your speech. I think you used the word "culprit" on more than one occasion, and it seems to me that it has reference to the Hon'ble Food Minister. If that be so—I will look up the proceedings—if it is a personal reference, I shall expunge it.

SJ. DEBENDRA NATH SEN: Sir, I do not think I made a personal reference, but if you feel inclined to have the word expunged can you substitute it by another word?

Mr. CHAIRMAN: I do not think it can be done. I shall have it expunged. Now, Mr. Debendranath Mukherjee.

SJ. DEBENDRANATH MUKHERJEE: Mr. Chairman, Sir, I have very carefully gone through the speech of His Excellency the Governor. I may tell you, Sir, I do not belong to that school of thought which does not find any redeeming features anywhere. I do concede that there are many redeeming features in the speech of His Excellency. But still I regret that I have been sadly disappointed; sadly disappointed because my expectations were much higher from His Excellency as I knew him for a good many years for his saintly character and his princely gifts. I am not going to take your time or the time of the House by retracing my steps on matters which have been elaborately dealt with by the preceding speakers.

[10-50—11 a.m.]

Sir, education was the first item in my amendments but my friend Mr. Mohitosh Rai Choudhuri has taken an inordinately long time to place his case on education and so I am not going to say anything beyond making a passing reference. Sir, I expected that a veteran educationist as His Excellency is he would tell us about a policy by which our Government might altogether eradicate illiteracy in West Bengal. The Governor has said that our State is a welfare State. I wish that our State was a welfare State. But whatever may be the capacity of our Chief Minister—I have great respect for his outstanding personality and high order capacity—he cannot build a welfare State with nothing. He must have good materials. Now what are the good materials for a State? Certainly good citizens. Good and responsible citizens cannot be made without education and therefore I expected that the Governor would tell his Government that these are the ways in which the Government must remove all illiteracy from West Bengal.

Unfortunately we do not find any reference. I would only mention one fact. Only three weeks ago I went to Satahata in the district of Midnapore and I was told by the people there that a number of schools—I do not exactly remember the figure, it would be more than 50 primary schools—have been abolished. Such reports are coming to us from other districts also. Certainly that is a policy which I expected that the Governor would ask the Chief Minister not to follow if illiteracy was to be removed.

Now, Sir, I pass on to my next ground, the ground of corruption and nepotism. Sir, I referred a few minutes ago to the saintly character of our Governor. I mentioned it with purpose because I expected that a Governor of his character and type would tell our Government boldly and courageously that in the Government there are reports of bribery, nepotism and corruption and some measures must be introduced without any delay for purging off these blemishes but unfortunately there was no reference to it. Sir, you gave a ruling on the last occasion when the honourable member Sj. Annada Prosad Choudhuri was exposing certain matters. I am not going to say anything about the personnel or the private character or anything of any of the Ministers or the Deputy Ministers or the Members, good or bad, right or wrong. I must bow down to the Ruling of the Chair. But I may be permitted to say with respect to a department, the Civil Supplies Department, the Food Procurement Department. Sir, I may give you certain instances in which you will find that bribery is the normal feature of the administration in those departments. Those who are past masters in that art go on merrily but those who are not habituated to this art suffer and are victimised. The other day in the month of May when the Hon'ble the Chief Minister of West Bengal held a conference I remember that the honourable member of the Legislative Assembly Sj. Subodh Banerjee of Joynagar challenged the Government that a rich substantial man holding a large stock of paddy was not touched by the Department of Food Procurement but a poor man having no powers to give any resistance was robbed of all his stock of paddy. These are instances which must be brought to the attention of the Government and I expected that His Excellency would say something by which these corruptions and nepotism might be altogether purged off from our administration. Sir, I now pass on to the next question, the question of the present Council of Ministers. I am not going to refer, Sir, to what happened the other day in the Legislative Assembly. That is not our affair. But I am only going to refer to this that there has been a country-wide agitation, both extensive and intensive, on the present size of the Ministers and the Deputy Ministers and also the demand of the Ministry, the demand of the Government for larger salaries and greater comforts of its Ministers. Now it is very sad that although a procession of 2,000 famine-stricken people came here only to see that the Ministry, that our Chief Minister of West Bengal, may revise his decision but unfortunately they were charged with *lathis*. That is the report that we get from the newspapers.

Sir, I am not going to take much time but I may tell you about the present economic condition of the country. The whole economic structure of West Bengal has been completely upset since the Division of Bengal into Eastern Pakistan and West Bengal. Our State is a deficit food supply State. From the statistics of the Hon'ble Food Minister Mr. Sen we find that in this year about 9 lakhs of maunds are the deficit. His Excellency the Governor has mentioned in his speech that at least three districts of West Bengal have been very hard hit in the present distress. I know something about my subdivision of Basirhat. I know that landless people of Hussnabad or Sandeshkhali have left their hearths and homes and have been roaming about in search of food. Those who live there have been taking the seeds of wild trees such as *Babla* and *Srish* for removing their hunger. Sir, that has been the condition of the district of 24-Parganas. Now when the conditions are such is it the proper time when the Chief Minister should come with a programme of

a larger body of Ministry and also a Bill for higher salaries and greater comforts for his colleagues? I find that the portrait of Mahatma Gandhi that superman is hung up in every office and in courts. For what purpose? To keep alive in the minds of those who are his followers the great ideal of self-abnegation? Are these Congress followers emulating that example set up by Mahatma Gandhi? He took to loin cloth, he did not take more than one meal a day because he found that a great majority of his countrymen were not properly fed and properly clad. But what is our Chief Minister doing?

[11—11-10 a.m.]

Our people are starving. They are not properly clad and this is the time when you come up with such a Bill, with such a programme! The Chief Minister has referred to a proportionate expenditure which he is going to make out of the total revenue. I am discussing the Governor's speech and I am not replying to the reasonings of the Chief Minister which he has advanced the other day in the Legislative Assembly. But if we compare the size of West Bengal with the size of Bombay or Madras or Uttar Pradesh or Bihar we will find that Bengal is almost one-fifth of the size of Madras. It is one-third of Uttar Pradesh or perhaps one-fourth of Uttar Pradesh, and one-third of Bombay. The Government might say that the size of the Ministry does not depend upon the Rule of Three of the areas. I am quite alive to this fact that the size of the Ministry depends upon the functions and activities of the State. Compare the activities of West Bengal with the activities of Bombay, Uttar Pradesh or Madras. We do not find any record for which the Chief Minister of West Bengal can claim a larger number of Ministers—more than double the number of Bombay or Madras. He has come up with a demand for larger salaries and larger expenditure for the comfort of these Ministers. I expected that he would emulate the example of Mahatma Gandhi and he and his colleagues would tell the House that so long as the food situation does not improve—so long as the people are starving—they are not going to take a single pie of their salaries. Let the situation improve. Let famine conditions disappear. I will then certainly not be a man to oppose this amount of salary which the Chief Minister of West Bengal is at present demanding.

I now refer to the question of the rehabilitation of the refugees. There is a touching reference but I may tell you of an incident that the promised amounts of the Government do not all reach the hands of the refugees. Much of the money which comes out from the Treasury is lost in transit. The other day some refugees came and saw me from Basanti's *abad* in the district of 24-Parganas. The Relief Commissioner granted Rs. 2,700 for the repair of their huts which were pulled down by cyclone and they wanted tube-wells to be sunk as they had no tank for drinking water in the vicinity. I rang up the District Magistrate of 24-Parganas for an interview on their behalf but I was refused interview. The District Magistrate told me over the phone that he had no time to see me in the next two days, or two weeks or two months. I brought this fact to the notice of the Chief Minister and was not favoured with a reply. Such is the administration in which we are living and I expected that the Governor who says much in many of his speeches about the refugees would ask the Chief Minister to take such measures as would assure them real relief. To say that these refugees should live like cattle huddled together in a camp or on the footpath is not rehabilitation. Therefore I was much disappointed when I did not find any such thing in the speech of His Excellency the Governor.

I would refer to one point and I will resume my seat and that is with regard to the proposed bridge and barrage at Furrakka on which the prosperity of West Bengal greatly depends. I know that this is an affair in which the Chief Minister may not have full control but if we want really to develop the economic condition and the trade condition of the State we

must see that the bridge and barrage at Furrakka are not abandoned, as there has been a move, we notice, in the Centre. Since the trade was closed on account of the Hardinge bridge—

(The honourable member having reached the time limit resumed his seat.)

8J. NIRMAL CHANDRA BHATTACHARYYA: Mr. Chairman, Sir. On this side of the House we are grateful to His Excellency the Governor of West Bengal for his gracious speech; but a compelling sense of public duty has led me to give notice of an amendment. I very strongly feel that the Ministry has not advised His Excellency in the matter of his speech properly. The Congress Ministry pitchforked by a conjuncture of unfortunate political circumstances into power for another term has in fact deliberately misled His Excellency into giving a rather wrong picture of the moral and material conditions of West Bengal. My friend Mr. Mukherjee has referred to the size of the Ministry; the inordinate and unprecedented size of the Ministry unknown in the history of Cabinet-making in India has become a capital standing joke. Mr. Mukherjee has blamed the Chief Minister for forming such a large Ministry. I would like to enter upon a defence of the Chief Minister at this stage. What could he do? He had to form a Government. The real cause of the formation of such a large Ministry has to be sought in the composition of the West Bengal Congress Council and Assembly Party. Divorced from all shreds of idealism the Congress has degenerated into a coalition of interests and the Chief Minister who was anxious to form a Ministry had no other alternative but to satisfy all the different groups and the different interests, knowing well that every Congressman has a price. This is why the Ministry assumed such an unprecedented and inordinant size. Our Chief Minister is now firmly set in the political firmament of Bengal with twenty-nine satellites around him, the most attractive of which is the Honourable Minister for Refugee, Relief and Rehabilitation. I might note in passing that she has, though defeated by a large majority in one of the House of the People constituencies, stolen a march upon the two fair ladies who are adorning the Congress benches here this morning.

[11-10—11-20 a.m.]

Sir, when I contemplate on the size of the Ministry I cannot but think of a very famous couplet by the greatest of our mediaeval poets Bharat Chandra. You will kindly correct me if I go wrong. Bharat Chandra eulogising the court of Maharaja Krishna Chandra writes—

“চন্দ্র সবে ষোলকলা হ্রাস বশি তায়,
কুঞ্চল পরিপূর্ণ চৌষট্টি কলায়।

Sir, the non-official poet laureate of the court of our Chief Minister who has very recently joined the Congress Party and who has left us for a handful of silver, just for a ribbon to stick to his Khaddar Punjabi will possibly vary the famous couplet and sing

চন্দ্র সবে ষোলকলা হ্রাস বশি তায়,
বিধান চাঁদ পরিপূর্ণ উনত্রিশ কলায়।

Sir, I need not dwell much upon the inordinate size of the Cabinet. I will now seek your permission to draw your attention to the manner in which the portfolios have been distributed. The Chief Minister has appropriated to himself as many as five major portfolios. I think that this will lead to undiluted inefficiency of the Government and it will produce a kind of dictatorship of one individual within the Cabinet. Sir, I concede that our Chief Minister possesses versatile qualities but it is difficult to concede that the subjects so varied and so different, raising so many different problems will be

done justice to by our Chief Minister. Sir, this is a claim to versatility run amuck. I am again reminded of a couplet of another mediaeval poet. Lampooning a hero the poet says:

“বাদ, জানো কত রঙ্গ, তুমি জানো কত রঙ্গ,
ধানভানো, গাঁত গাও, বাজাও মৃদঙ্গ।”

Sir, our Chief Minister claims to be a specialist in so many different subjects. I believe that that is nothing but a kind of ambition which overleaps itself and falls on the other side. By so doing he would bring the entire country to disaster. There is another aspect of the distribution of portfolios to which I would like to draw your attention. I do think that this kind of distribution of portfolios will lead to a kind of dictatorship of the Chief Minister within the Cabinet. By democracy is meant Government according to decisions arrived at after consultation and discussion. The Chief Minister will not give any opportunity to the other members of the Cabinet to discuss things. He, like a colossus claims to bear the burden of five major portfolios holding the key position in the administrative system. The result will be that the other Ministers will be reduced to non-entities and democratic discussion will come to an end. I am surprised to find that even a veteran parliamentarian like our friend Mr. P. C. Sen who has a record of public service behind him consented to join the ranks of the byzantine eunuchs in the seraglio of Dr. B. C. Roy.

Mr. CHAIRMAN: The expression “byzantine eunuchs” is not parliamentary.

SJ. NIRMAL CHANDRA BHATTACHARYYA: All right, Sir, I withdraw it. Mr. Chairman, Sir, I have other charges against the present Government; I refer to the repressive laws. The Ministers failed to advise His Excellency in the proper manner inasmuch as there is no reference in His Excellency's address to the repeal of repressive laws. You are aware, Sir, that in the teeth of the opposition of the people, the West Bengal Security Act was placed upon the Statute Book. It still disfigures the Statute Book of West Bengal. About 1,000 persons were arrested under this Act and when the Act came to be challenged in the High Court it turned out to be *ultra vires* of the Constitution and so far as I remember this decision was upheld by the Supreme Court.

SJ. SANKAR DAS BANERJEE: Which decision?

SJ. NIRMAL CHANDRA BHATTACHARYYA: Some of the sections were declared *ultra vires*.

SJ. SANKAR DAS BANERJEE: What is the name of the case?

SJ. NIRMAL CHANDRA BHATTACHARYYA: You better look it up for your own enlightenment. As a lawyer Mr. Banerjee ought to know it.

Mr. CHAIRMAN: Order please.

SJ. NIRMAL CHANDRA BHATTACHARYYA: Mr. Chairman, Sir, soon after some of the sections of this Act came to be declared *ultra vires* of the Constitution of India, almost overnight an Act was passed by the Central Legislature. It was piloted through the Central Legislature by a person notorious for his totalitarian leanings and the unfortunate victims came to be incarcerated under this Act, the Preventive Detention Act. Sir, you are aware also that the British Government made an extensive use of the Criminal Law Amendment Act. Recently the Congress Ministry has made an attempt to create special tribunals for the trial of a certain class of offenders. Sir, this is an encroachment, a very gross and violent encroachment upon the sacred rights and liberties of the people and we are disappointed to find that the Ministry did not think it proper to advise His Excellency to enunciate a new policy for the withdrawal

of all these black measures. Sir, the lot of the undertrial prisoners is no better. People who know—not Mr. Banerjee who does not—will possibly agree with me that there are some persons who are being detained in prison for the unconscionably long period of about three years. Sir, is this not a Machiavellian use of the right on the part of the Government to detain undertrial prisoners? Nothing more regrettable than this can be imagined. Sir, the Congress Government has encroached upon the right of the people, particularly the workers, peasants and employees, to freedom of association, a right guaranteed by the Constitution. Hundreds of employees working under the Government have been dismissed because they happened to be connected with this or that Union. I might mention names, Sir, but I refrain from doing so. A Secretary of the Civil Supplies Employees' Association was dismissed and detained from 1947 to 1952. The Secretary of the Rationing Employees' Association was discharged and no cause was assigned for the discharge. Employees in private firms have also been similarly dealt with. The Assistant Secretary of Standard Vacuum Oil Company was dismissed in 1951 on account of legitimate activities connected with his own union. Syed Imani Begg of Budge Budge Jute Mills was similarly dealt with. Very recently, Sir, an Assistant Secretary of the Hindustan Insurance Co-operative Society was discharged because he dared to supply the tribunal which was hearing the case of the Employees Association with certain documents.

[11-20—11-30 a.m.]

Similarly Abdul Huq, President of the Braithwaite Workers' Union, was dismissed and our Labour Minister did not raise his little finger to protect these legitimate activities of the workers.

Sir, much time is not left, and I want to draw your attention just to the way in which the peasants have been dealt with. Between 1947 and 1949 in Midnapore 5,000 peasants were put under arrest, in 24-Parganas 1,100, in Bankura 700. The number of people who died as a result of firing since 1947 in the districts is as follows:—

Midnapore	...	7
Bankura	...	8
24-Parganas	...	18
Howrah	...	22

and the people who lost their lives inside the jails as a result of firing between 1948 and 1951 were as follows:—

Dum Dum	...	3
Presidency Jail	...	1

and one died of hunger strike in the Presidency Jail.

Sir, there are various other aspects of His Excellency's speech which I would have liked to refer to, but there is very little time at my disposal. Speaking at the Assembly our Chief Minister quoted from Abraham Lincoln and said in effect "What I have done, I have done, history will judge me". We will leave the Chief Minister to history, but we will reply to him by quoting Abraham Lincoln who said "you can deceive some people for all the time, or all the people for some time, but not all the people for all the time". Sir, I charge the Government with wantonly dealing with the rights and liberties of the people, playing ducks and drakes with people's money, and I warn them that the day is not far off when they will have to answer these charges before the bar of the people of West Bengal.

Mr. CHAIRMAN: Honourable members, I will have to interrupt the work of this House because there have been messages received from the West Bengal Legislative Assembly.

Messages from the Assembly.

SECRETARY TO THE COUNCIL (Sj. A. R. Mukherjee): The following messages have been received from the West Bengal Legislative Assembly:—

1. "The West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 21st June, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

(Sd.) S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.

CALCUTTA,

The 23rd June, 1952."

2. "The West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 21st June, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

(Sd.) S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.

CALCUTTA,

The 23rd June, 1952."

I beg to lay on the table—

- (1) the West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the Legislative Assembly on the 21st June, 1952; and
- (2) the West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the West Bengal Legislative Assembly on the 21st June, 1952.

Dr. BIDHAN CHANDRA ROY: Mr. Chairman, Sir, with your permission, I beg to give notice that I propose to move that the West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the West Bengal Legislative Assembly be taken into consideration and passed at this session of the Council.

I also, with your permission, Mr. Chairman, beg to give notice that I propose to move that the West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the West Bengal Legislative Assembly be taken into consideration and passed at this session of the Council.

Amendments to the motion of address in reply to the Governor's speech.

Mr. CHAIRMAN: The debate will now continue. I now request the Hon'ble Chief Minister to speak.

Dr. BIDHAN CHANDRA ROY: Mr. Chairman, I have been listening to the speeches of the honourable members round the table. It has left upon me the impression—(Sj. MONINDRA MOHAN CHAKRABARTY: Sir, I have not been given an opportunity to speak on my amendment.) It has left upon me the impression that the whole atmosphere is unrealistic so

far as the proper approach to the debate is concerned. After all the Governor's speech can only be illustrative of the facts that are occurring in the Province and it cannot be exhaustive. Things have been brought in which could profitably have been discussed either when the respective Bills came before this Council or during the Budget speech which refers to the demand made by the Government with regard to the various items. Sir, the first point that has been raised both here and in the Assembly is with regard to the formation of the Ministry. There are two questions that have been asked, one with regard to its size, and the second is with regard to the money to be paid. I will take the second one first. I wonder if members of the Council or the members of the Assembly realise that the total expenditure on the Ministers' salaries has to be judged not merely by the actual amount paid during the course of the year but what relation it bears to the total revenue of the State. In the second place I wonder what the actual figure is. Sir, in the Assembly I heard the figure first of all is Rs. 6,50,000; then it went up to Rs. 7 lakhs; somebody said Rs. 13 lakhs; and I heard today Rs. 30 lakhs. The older you grow the bigger will the salary become. It is arithmetic. You can add up and multiply and find out the total amount. I would also ask the members of the Council to realise that for the Assembly and Council members we spend Rs. 9 to Rs. 10 lakhs a year, and members of the Assembly and members of the Council pursue their own avocation. They go on earning their income in other places. They have not got to give up their other sources of income which a Deputy Minister or a Minister has to do. On the other hand a large number of members of the Assembly and of the Council have approached me and told me that the allowance of Rs. 2, which is given for transport is too little under the present circumstances because it was fixed in 1937 since when things have changed, and they have urged upon me that the total salary payable to the members of the Assembly or the Council of Rs. 200 each be increased to a higher figure, because they feel that it is difficult for anybody now-a-days to remain in Calcutta and attend the session, except those who are carrying on their profession in the town, on a small salary of Rs. 200 a month, and Government are considering the question of increasing their salary and allowance. And why? I have said in the Assembly, and I repeat it here again, because I feel that both the Chairman and the Deputy Chairman, Speaker of the Assembly, Deputy Speaker of the Assembly and members of the Assembly, members of the Ministry and the Parliamentary Secretaries constitute one complete whole. The status and the prestige of the Legislature depend upon the proper functioning of each individual member of this group. We and the Government have to look to the interest, not merely of one group or the other group, but we have got to look to the interests of all the members as a whole, and for that purpose the Government of West Bengal have already decided to build 80 blocks of flats for the members of the Legislature in the first instance, as has been done in other places like Delhi—

[11-30—11-40 a.m.]

Why is this done? Is it for the purpose of throwing away money? Sir, I have heard a lot and I hear these things from the other side. "You Congress members are not satisfied with Rs. 500." When the resolution of Rs. 500 was taken in 1937 what was the index then and what is the index now? I tell you that in my experience of four years I find that it is impossible for a person to remain on the salary that he had been getting in 1937. I am not afraid of saying to the world at large that if you want the best of an individual you must give him his salary, or you must give him the corresponding money's worth as much as possible under the circumstances. Sir, I have been told that I am taking too much money. Rupees 1,250 is too much for me!

Now, Sir, I come to the next point, the number that has been appointed. Do my friends realise that in the year 1937-38 the total income of the State was Rs. 14 crores? Whereas today it is Rs. 35 crores. I have by

my side an old friend of mine, Nawab Musharraf Hossain. He is one of the oldest legislator in this Province. He is a big businessman. Ask him that if you want to increase your expenditure from Rs. 14 crores to Rs. 25 crores what further addition have we to make in the staff in order to see that Rs. 35 crores is spent properly? Some of my friends have raised this question that why should we employ these men? We will have to employ somebody as Ministers or Deputy Ministers. Sir, I take full responsibility for it being in charge of the Ministry because I think that these Deputy Ministers would be persons, who are attached to their Constituencies and can speak on behalf of them as also can get their co-operation in the various measures including the particular project that Sj. Debendra Sen wanted to carry out. Sir, my only argument is that I am spending for Development Projects. In the year 1950-51 we spent Rs. 10½ crores on Development Projects, Education, Medical Relief, Irrigation, Roads, etc. In the year 1951-52 we spent Rs. 12 crores and for the Five-year Programme that is before us we propose to spend at least Rs. 67 crores for Development Projects. And I must have my machinery to see that the work is properly done. Sir, in this matter I can only say that those who deal in retail business cannot know of the wholesale business. And what I said the other day quoting Abraham Lincoln I repeat again that if I have got to listen to all the criticisms I might as well close my business. My friend Prof. Nirmal Ch. Bhattacharyya, said that you can fool all people for some time and some people for all time but not all people for all time. Yes, I do not propose to fool anybody. I have put my cards on the table. My programme is before the country. What I have done is on behalf of the Government of West Bengal and in the interest of this State. Therefore, I make no apology for either the number of Ministers and Deputy Ministers or the salaries that are proposed.

Sir, with regard to education. It is very fitting that anybody, who is very interested in a particular line always thinks in terms of his own line. My friend Mr. Mohitosh Rai Choudhuri is an eminent educationist, having spent years of his life in education and naturally he says "Let us have one-third of the total income, namely, 11 or 12 crores". I wish I could. Please look into the book which would be sent to every member. In this there is a chart which will show how this Province is developing.

In the year 1946-47 the total expenditure on education for the whole of Bengal was 3 crores of rupees. In the year 1952-53 we propose to spend 4 crores of rupees for one-third Bengal. In the case of medical relief and public health for the whole of Bengal including East and West Bengal, it was 4 crores. This year we propose to spend 5 crores for medical relief and public health.

In the case of roads and irrigation the figures are even more interesting. In the year 1946-47 the total expenditure on irrigation for the whole of Bengal was about one crore and a half. In the year 1952-53 we propose to spend Rs. 16 crores on irrigation.

In the case of roads in the year 1946-47 we spent Rs. 45 lakhs for the whole of Bengal. For West Bengal alone in the year 1951-52 we spent over 44 crores of rupees and we want to repeat the process this year. Therefore, Sir, when you are thinking in terms of expenditure of money that we realise you must think in terms of priority.

You will agree that without education a country cannot progress. You will also agree that without medical relief man cannot survive the onslaught of disease. Similarly you will agree that you must have food. You will also agree that unless we have irrigation it is no use your trying to increase the amenities of life and yet we have tried to get on with our own programme from step to step. I have got to tell you that a ten-year scheme has been drawn up for introduction of compulsory primary education. This ten-year plan was put into operation in 1951-52 and an area of 3,835 sq. miles have been covered by four lakhs children at an additional cost of Rs. 11 lakhs 17 thousand.

With regard to the salary of primary school teachers about which mention has been made I do say here that I feel very sad about the condition of our primary school teachers and that we are not able to give them more than we can. The real difficulty is that we have got nearly 40,000 teachers in our 14,000 schools and even an increase of Re. 1 in salary means about 4 lakhs 80 thousand increase in the total cost. That really is the handicap. In 1946-47 trained Matric teachers used to get Rs. 16. Now we give them Rs. 35 to Rs. 40 plus Rs. 5 as Headmaster's allowance. In the case of untrained Matric. and trained non-Matric. teachers, not the Head teacher, their salary in 1946-47 was Rs. 12. We now give them Rs. 30 plus Rs. 5-8 dearness allowance. In regard to non-Matric. and untrained teachers the salary in 1946-47 was Rs. 10. Now it is Rs. 20 plus Rs. 5-8 as dearness allowance.

Then, Sir, a question has been raised with regard to the salary of teachers of Secondary Schools. At the present moment the Secondary Schools are under the Board of Secondary Education and we are awaiting recommendations in order to see whether we can alter the policy of giving aid to the Secondary School teachers of the non-official schools. So far as Headmasters are concerned we have raised the salary of Headmasters from Rs. 250 to Rs. 400, for other trained graduates from Rs. 75 to Rs. 150, for graduates and trained under-graduates Rs. 60 to Rs. 100 and for under-graduates untrained Rs. 50-8. We are attempting to give training to Secondary School teachers so that 60 students are being given training for getting more income.

[11-40—11-50 a.m.]

Then, Sir, with regard to the aid to the colleges, there are in Bengal at the present moment about 90 colleges of which 12 are Government colleges, 3 are sponsored colleges; Government colleges under dispersal scheme are 10; and non-Government colleges 66. As regards the dispersal scheme it was realised—not by us alone but my friends the Principals of the colleges in Calcutta whom I met—that the present system by which a college has more than 1,500 students becomes a sort of anomaly and therefore they agreed that provided they got some help from Government in meeting deficit they might be able to reduce the total number of students to 1,500 in each of these colleges—particularly the four big colleges in Calcutta. In order to meet the necessary demand of a part of the students to have college training it was essential that we should find some other places for instruction. Therefore, at my instance the Government of India gave us Rs. 90 lakhs to be spent in three years' time for the purpose of developing certain high schools into second-grade colleges—and second-grade colleges, wherever possible into first-grade colleges. I am not here either to defend or support the question of the dispersal of the students but the main idea then was that in order to avoid congestion of students in Calcutta and round about Calcutta and in order to give them the facility of going and working in better surroundings than Calcutta could provide—particularly when the refugee problem became very acute—that this system was devised and on the whole it is working well. We are giving now Rs. 8,26,843 to the non-Government colleges and last year we gave an additional grant of Rs. 2,42,500. My friend S. Bhattacharyya has several times said that I am about to become a dictator and he deplored the fact—possibly out of compassion for myself—that I am taking upon myself five portfolios. Let me tell him that last year and the year before, and the year before that, I took six of these portfolios, that is to say, including the Relief and Rehabilitation of which now I have got another person to take charge.

A question has been raised with regard to technical training. At the present moment we have got technical training provided for three types of students. The first is technical training of the graduate type such as is

given in places like Sibpur Engineering College or the Jadavpur Engineering College. Then there are places where students are admitted after passing their Intermediate Examination. Then there is technical training given in Jadavpur mainly and in some other places where students who have passed the Matriculation Examination are trained. Then there are other polytechnics which have been started where students who have not gone up to the Matriculation standard are being trained. Altogether 1,500 students are being trained up under the scheme—at Asansol polytechnic, in Sibpur polytechnic, Jalpaiguri polytechnic, Hooghly Institute of Technology, Ramkrishna Mission Silpa Mandir, Belur, Jadabpur polytechnic and Dum Dum polytechnic. Besides that, there is also training given to boys in different types of technology. We have got the Central Government Employment Exchange Technical Department where they train a fairly large number of students. Besides, we give training in the Bengal Textile Institute, Serampore, in Berhampore Textile Institute, Berhampore, the Bengal Tanning Institute, Calcutta, Bengal Weaving Institute, Calcutta, Sericulture Training Institute, Training School, Darjeeling, Industrial School and Workshop, Cooch Behar, Artisan and Weaving School—three other District schools—14 peripatetic weaving schools—nine demonstration parties—9 unemployment relief works. Altogether eight to nine hundred students are being trained in these places. Besides we have started a new course of training where about 900 students have been trained, viz., training in work of the marine engineering type, particularly of inland steamer. I find, Sir, one thing of great hope, viz., I have seen boys belonging to the middle class—boys who otherwise would not take to doing anything by their hand—are taking to these different types of technical training and it would be of great help to the people.

With regard to Relief and Rehabilitation, I wonder if those who criticise have realised the immensity of the problem which is involved in any system of relief and rehabilitation of refugees. It is not merely the size and the magnitude of it but it is also the type of people that count. I may say at once that of the 14 lakhs of people that have been rehabilitated out of the 25 lakhs, most of whom have been rehabilitated usually by their own efforts, Government helping them—there are a certain number of people whom it is very difficult to help so far as rehabilitation is concerned. Sir, the word “rehabilitation” has been very casually uttered. That word means not only that the man should have shelter over his head but that he should have employment to keep the wolf from his door. It is easy to find roof and occupation for them but it is difficult for a person who has been in fairly comfortable circumstances on the other side to adjust himself to another economic standard. Survey has been made of the socio-economic conditions of the refugees by the Department of Statistics and I would request every member who is interested in the relief and rehabilitation problem to read the statistics. It gives them a great deal of food for thought. The greatest difficulty is with regard to the middle class because it is found that most of the artisans—practically all the agriculturists, the weavers, the bell-metal artisans, etc.—have been fitted in somewhere and I am glad to say that they have been fitted into the economic condition of the Province.

[11-50 a.m.—12 noon.]

But the real difficulty comes in the case of those who are not accustomed to put their hands to any particular work, who are mostly concerned with seeing that their land was properly tilled and share crop was properly received. But under the stress of circumstances they have now come over here without any money, without any property and who have got nothing but darkness before them. Therefore, Sir, it is not a very easy thing to find a solution of this problem. Any gentleman who instead of trying to criticise merely the work that has been done by us in this connection would try to suggest some methods by which we can find employment for the middle class people, he would be welcome to this administration. But if

any good suggestion of this type will be forthcoming such a gentleman will also be praised by the people for having put forward such a good suggestion. With this object in view we have started what is known as Community Project or Town-village Improvement Project. The idea is now that we have got so many people of the middle class who are getting technical training. They should be placed in the township surrounded by a group of 100 villages in which training would be given to the middle class in larger numbers in order that they can produce things that would be required by the agriculturists on the one hand and the agriculturists can put in something which would be required by the towns-people. It is a balanced progress of the township in company with agriculture. It is not merely the development of agriculture. It is not merely the development of town. But it is the combination of the two elements which to our mind is the real solution of the present moment.

Sir, I need not detain the House any longer because I take it that my friends here would be able to speak about the food question. Only one reference has been made and I find that it has been made because perhaps there is no other complaint to be made and that is with regard to corruption and bribery. Sir, I may tell the House that I have got here the figures from April to December, 1951, which show the total number of cases where cases of corruption were put up before the courts and the results were as follows: Between April and June, 1951, 848 cases were put up before the Court, 66 of these cases are still continuing, 162 have been discharged and the remainder convicted. Between July and October, 1951, 822 cases were put up before the Court, 15 are still continuing, 175 have been discharged and the rest convicted. Between October and December, 1951, 820 cases were put up before the Court, 75 are continuing, 181 discharged and the rest were convicted. In many cases there have been not only fines but also imprisonment. In some other cases they have been discharged. In other cases, other steps have been taken. With regard to smuggling and so on in January this year in the districts 701 cases were put up before the courts, and 547 were convicted. In February, 796 cases were put up and 620 were convicted. In March, 940 cases were put up and 526 cases were convicted. In April, 1,293 cases were put up before the Court and 1,068 were convicted. In May of these cases the smugglers were put up under the Preventive Detention Act—6 or 7 of them. In the case of Calcutta out of 53 cases in January 47 were convicted. In February, there were 87 cases of which 83 were convicted. In March, out of 118 cases 97 were convicted. In April out of 125 cases 101 were convicted.

Therefore, Sir, it is not a fact that nothing is being done. But I want to put up to the elders of this House this particular proposition that after all those who go beyond the limit of law in any direction are also part and parcel of the same society to which we belong and until we are able to raise the morale of the whole society it is not by saying slogans that you can put them right. It is only by refusing their company, by shunning them socially and otherwise that we can create that atmosphere which will make impossible for people to go in for corruption or go in for smuggling.

I do not propose to dwell further on the points which have been raised excepting the two points referred to by Mr. Charu Chandra Sanyal. He has asked one question—Why should there be four medical colleges in Calcutta and he has said something of the Bhoré Committee although I could not hear him here. Sir, it is perfectly true that in the Bhoré Committee there was a scheme and I may say without disclosing any secret, that the whole scheme was mine. It was suggested that each district in the whole of India should have a college of one thousand beds and a certain number of students in each. But it was also felt that none of the schemes would be possible unless two things happened, unless you have got the total number of personnel who will be able to manage successfully and efficiently these colleges in the districts. Therefore it was necessary firstly to have

a larger number of trained personnel and the question of money of course comes in. The question was where to start the college? One advantage Calcutta has, as you will easily realise. I am one of those who as a sponsor of the Dispersal Scheme would not like to concentrate students in Calcutta in any plan unless there was a very good reason for it. The reason is that in the colleges, barring the two colleges that are Government colleges the other two colleges depend upon the honorary services of a large number of workers who congregate in the town. If I have got to take these teachers outside the town where they cannot have a larger private practice which they are having at Calcutta, we will have to pay the salary for them which would be almost impossible to meet at the present moment. But I am happy that as soon as a large number of these personnel are trained and I hope to have a very large number in the next 5 years, it would be possible for us to develop these district colleges and institutions. Because Calcutta can only hold certain number of specialists and medical practitioners and they must go out. And if they go out anywhere they can be easily taken up for training students there.

With regard to agricultural colleges again I am sorry Mr. Charu Chandra Sanyal should have considered this point a little more before he criticised it.

Sir, it is true that a desert in Nadia would be more favourable than a town like Calcutta. Let me say why it was put in Calcutta. The reason is that in an agricultural college particularly, students require to be trained in various other sciences—physics, mathematics, statistics, chemistry, physical chemistry, etc., and it was an arrangement with the University that their teachers would be able to teach these students for a very nominal allowance, if the institution is situated in Calcutta. Again the same difficulty arises. If Nadia or Jalpaiguri, it would mean our dispersing a very large number of scientists. These teachers are not whole-time workers but whose help and guidance are essential in the development of our agricultural college. These are the two observations that I desire to make. With regard to individual suggestions, I have nothing else to say except to tell the House that we are doing things in the best way possible and I hope and trust that the people will give to the Government their co-operation and sympathy without which this Government or any Government cannot succeed.

[12 noon—12-10 p.m.]

8J. TARA SANKAR BANERJEE:

শ্রদ্ধেয় সভাপতি মহাশয়! মাননীয় রাজ্যপালের ভাষণের উপর বেসব বিতর্ক এর পক্ষে হয়েছে সেন্টিমেন্টাল ভাবে আমি একমত হতে পারি না। আমি মূল প্রস্তাবকে সমর্থন করছি। কারণ রাজ্যপাল তাঁর ভাষণের ভিতরে বর্তমান বাংলার সত্যরূপ অকুণ্ঠভাবে প্রকাশ করেছেন এবং বাংলার যে সমস্ত সমস্যা সেন্টিমেন্টাল সমাধানের অতি সুচিন্তিত পরিকল্পনার পরিচয় দিয়েছেন। বাংলার যে দুর্ভিক্ষের পদার্থনি শোনা গিয়েছে বার জন্য বিভিন্ন মাননীয় সদস্য দায়িত্বের অর্পণ করবার চেষ্টা করেছেন বা করছেন সেখান মাননীয় রাজ্যপালের সরকার কখন অবস্কার করেন নি। এই বাংলাদেশের লোকসংখ্যা হ'ল ২ কোটি ৪৯ লক্ষ এবং বাংলাদেশের হাঙ্গুল জমির পরিমাণ হ'ল ১ কোটি ১৭ লক্ষ একর, অর্থাৎ হিসাব করলে দেখা যাবে যে পুরা এক একর জমিও প্রত্যেকের জন্য বাংলাদেশে নাই। কাজেই তা থেকে যে ফসল উৎপন্ন হয় তা থেকে সমগ্র বাংলাদেশের মানুষকে খাওয়ান খব কণ্টকর ব্যাপার। সেজন্য বাহির থেকে শস্য আমদানী করতে হয়। তার উপর পর পর ৩ বৎসর বাংলাদেশে ভাল বর্ষা হয় নি। মাননীয় সদস্য দেবেন সেন বলেছেন যে এর জন্য পক্ষেই সত্যক' থাকা উচিত ছিল। পক্ষে' থেকে সত্যক' শব্দ সরকারই ছিলেন না, বাংলার জনসেবক, জনকল্যাণকামী, সকল প্রতিষ্ঠানই সত্যক' ছিলেন। ১৯৪০ সালের কথা বাংলাদেশে বিস্মৃত হয় নি, এবং যারা জনসেবক, তারাও বিস্মৃত হয় নি, সরকারও বিস্মৃত হয় নি। স্বর্গোপরি বাংলাদেশে যারা সংবাদপত্র সেবা করেন, দীর্ঘকাল ধরে যারা জাতীয় কল্যাণে আত্মনিয়োগ করে এসেছেন তারা বাংলাদেশের মানুষকে এবং বাংলার সরকারকে যথাযোগ্যভাবে সাবধান করে দিয়েছেন। বর্তমানকালে সংবাদপত্রসেবা যারা করেন তারা শৃঙ্খলিত শৃঙ্খল সংবাদ সরবরাহ করেন না, তারা সাহিত্যিক বাসিন্দা। তারা সেখানে গিয়ে সে সংবাদ সরবরাহ করেছেন এবং সেখানকার মনস্তত্ত্ব কাহিনী জনসমাজে প্রকাশ করেছেন। সরকার অবশ্য দায়ী কিন্তু সে দায়িত্ব সামাজিক জীব হিসাবে বাঙালীও বহন করবে বহন কোথাও কোন দৃষ্টিতে। ঘনীভূত হয়ে উঠবে। আমাদের যারা রাজনৈতিক কর্মী তারা এ বিষয়ে সকলকে সতর্ক করেছেন। উগ্রতার ভাবাভিভাষার মাত্রাতিশয়ো হয়ত পার্কে পার্কে মিটিংএ ধর্নিত হচ্ছে একথা। সেখানে আমরা শুনছি ষায়াডাবের কথা কিন্তু ষায়া বাগান অপেক্ষা বর্তমান সরকারের অবসান কামনাই অধিক তাড়িতাবে

ধনিত হয়েছে। বামপন্থী বিরোধী যারা তারা তা করবেন বা চাইবেন। কিন্তু আমরা দেখতে পাচ্ছি পূর্বে পূর্বে সংবাদপত্রে যেভাবে ছবিতে সঙ্গো এই মন্থস্ত্রুদ কাহিনী প্রকাশিত হয়েছে গত দুই সপ্তাহ থেকে ধীরে ধীরে সেই সবাদের পরিমাণ কমে এসেছে এবং প্রথম পৃষ্ঠায় বড় বড় শিরোনামায় যে সংবাদ সর্বপ্রাণে পাঠকের দৃষ্টি আকর্ষণ করত সেটা অন্য পৃষ্ঠায় চলে গেছে। তার কারণ সরকারের তরফ থেকে, জনকল্যাণকামীদের তরফ থেকে সেখানে ইতিমধ্যে সাহায্য গিরে পৌঁছেছে এবং সেই সাহায্য সেখানকার খাদ্যাভাবের তীব্রতা কমিয়ে আনছে। সম্পূর্ণভাবে হয়ত দূরীভূত হয় নি কিন্তু কমে এসেছে এবং সরকারী চেষ্টায় খাদ্যাভাব ধীরে ধীরে অপনোদিত হবে বলে বিশ্বাস করি। এই প্রসঙ্গে প্রায় প্রত্যেকেই বলেছেন যে এই যে খাদ্যাভাব এটা “আর্থিক ফসল ফলাও” আন্দোলনে সার্থকতালাভ করবে না যতদিন না সম্পূর্ণভাবে জমিদারীপ্রথার উচ্ছেদ হয় এবং ভূমিসংস্কার নুতনভাবে হয়। সে সম্পর্কে আমি একমত। ভূমিসংস্কার আইন চাই, জমিদারীপ্রথার উচ্ছেদ চাই। এ সম্পর্কে আমার একটা আবেগ ছিল। কিন্তু সে আবেগ শান্ত হয়ে আসে যখন ১৯৪৭ সালে বাংলাদেশের একজন সুদীর্ঘকালের রাজনৈতিক কর্মী আমাকে এই সমস্যা সম্বন্ধে বিশদভাবে ব্যাখ্যায় দেন। ১৯৪৭ সালে সেপ্টেম্বর মাসে লাভপুরে আমাদের ভূতপূর্ব প্রধানমন্ত্রী আজম কংগ্রেসসেবী ডাক্তার প্রফুল্লচন্দ্র ঘোষ সেখানে গিয়েছিলেন। সেখানে আবেগপূর্ণ ভাষায় তাঁর কাছে আমি আবেদন জানিয়েছিলাম যে অনতিবিলম্বে জমিদারীপ্রথার যেন অবসান করা হয়। তিনি সেখানে বলেছিলেন তারশঙ্কর বাবু সার্বভৌমিক লোক, তাঁর ভাবাতিশয়া বেশী, কিন্তু সমস্যটা সম্পূর্ণভাবে বৃদ্ধত হবে এবং তার জন্য সমস্যটা আমাকে সম্পূর্ণরূপে ব্যাখ্যায় দিয়েছিলেন এবং হিসাব দেখিয়ে ব্যাখ্যায় দিয়েছিলেন। বাংলাদেশের ২ কোটি ৪৯ লক্ষ লোকের মধ্যে (সে সংখ্যা পরে সংশোধন করা হয়েছে) ১ কোটি ৪১ লক্ষ ৯৫ হাজার লোক কৃষির সঙ্গো প্রত্যক্ষভাবে সংশ্লিষ্ট। এর মধ্যে ভূমিহীন কৃষক আবার ৩০ লক্ষ এবং বর্গাদার ৩০ লক্ষ। তাহলে ৬০ লক্ষ লোক ভূমি হতে বঞ্চিত বা বর্গাদার-স্বত্ববিশিষ্ট এবং বাকী জমির মালিক তাঁদের সংখ্যা ৮০ লক্ষ ২০ হাজার। এই ৮০ লক্ষ ২০ হাজারের মধ্যে স্বল্প জমিবিশিষ্ট ব্যক্তির সংখ্যা বেশী প্রায় অর্ধেক। তিনি আর একটা কথা বলেছিলেন যে আপনারা ভাববেন না যে বাংলাদেশের যে সমাজ সে কেবল ধনী আর নিধনের দ্বারা গঠিত, রাজা জমিদার দ্বারা গঠিত, এ সমাজ আরও কিছু দ্বারা গঠিত। এ সমাজ বর্ণপ্রাঙ্গণ দ্বারা গঠিত সমাজ, এখানে ব্রাহ্মণ, বৈদ্য, কায়স্থ, বৈশ্য এবং বৈশ্যের মধ্যেও নানা সম্প্রদায়—সুবর্ণবর্ণিক, গন্ধবর্ণিক, শংখবর্ণিক, ইত্যাদি যারা আছে তারা কোনকালে স্বহস্তে কৃষিকর্ম করে না। সুতরাং এই ৬০ লক্ষ ভূমিহীন লোক এবং এই যে ৮০ লক্ষ লোকের মধ্যে ৩০ লক্ষ বা ৪০ লক্ষ স্বল্প জমি-বিশিষ্ট লোক মোট এক কোটি লোকের মধ্যে ১ কোটি ১৭ লক্ষ একর জমি দিলে প্রত্যেককে মোট ১ একর বা ০ বিঘার কিছু বেশী জমি দেওয়া যেতে পারে এবং তার ফলে অনাদিক আমরা প্রায় ৪০ লক্ষ লোককে ইতিমধ্যে মধ্যবিত্ত সমাজ থেকে উচ্ছেদ করব। এ লোকগুলিকে আমরা রাখব কোথায়? তিনি আরও বললেন যদি রাশিয়ার মত একটা বিপ্লব হত এবং সেই বিপ্লবের মধ্য দিয়ে আমাদের ক্ষমতা হস্তগত হত অথবা যদি যুদ্ধবিধ্বস্ত চীনের মত আমরা বসন্তনাশন শাসনাধিকারে আসতাম তাহলে নতুন কোর গঠন করা যে কোন সময়ে সম্ভবপর হত এই ৪০ লক্ষ লোককে চীনের পদ্ধতিতে বা সোভিয়েটের পদ্ধতিতে সম্পূর্ণ নিশ্চিহ্ন কোরে দিয়ে।

SJ. K. P. CHATTOPADHYAY: Question, Sir.

SJ. TARA SANKAR BANERJEE:

কিন্তু আমাদের পন্থা তা নয়। ভারতবর্ষে রাজনৈতিক দুর্যোগে যিনি আমাদের পথ দেখিয়েছেন, ভারতবর্ষের সনাতন আত্মকে নতুন কোরে জীবনে জাগ্রত করেছেন, অহিংসা ছিল তাঁর ধর্ম। সুতরাং এই কোটি কোটি মানুষকে, এই মধ্যবিত্ত মানুষকে নতুন কোরে রাখবার স্থান করবার আগে—তাঁদের আশ্রয় থেকে উচ্ছেদ করলে নতুন সমস্যার সৃষ্টি করা হবে। এই সম্পর্কে এখানে উল্লেখ করতে পারি ১৯৫০-৫১ সালে সরকারের তরফ থেকে যে কর্মধারা পুস্তিকায় প্রকাশিত হয়েছে তাতে আমরা ভূমি এবং রাজস্বের স্থানে প্রথমেই দেখতে পেরেছি জমিদারীপ্রথার বিলোপসাধন সরকারের উদ্দেশ্য। এই সম্পর্কে তাতে বলেছেন যে “কৃষকেরা যাহাতে পরিপূরক বা সহকারী শিল্পে নিযুক্ত হইতে পারে তাহার উপায়ও আমাদিগকে খুঁজিয়া বাহির করিতে হইবে।” এই কারণে নতুন নগর নিষ্পন্ন হচ্ছে, নতুন শিল্প প্রতিষ্ঠানের ব্যবস্থা হবে এবং তাতে শ্রম এই মধ্যবিত্ত সমাজ পুনঃপ্রতিষ্ঠিত হবে তা নয়, কৃষকেরাও এই শিল্প থেকে অনেক আয়ের সংস্থান করতে পারবে।

শ্রীযুক্ত চৌধুরী মহাশয় ঘাটালের স্বাস্থ্যকেন্দ্র নিয়ে অনেক ঘাটাবাটি কোরে বলেছেন স্বাস্থ্যকেন্দ্রগুলি ফেটে গিয়েছে, শ্রীযুক্ত সাম্যাল মহাশয়ও বলেছেন ফেটে গেছে। আপনাদের প্রধান মন্ত্রীমহাশয় দেখিয়ে এসেছেন কত অধিক টাকা সরকার ব্যয় করছেন। এ প্রসঙ্গে যা জবাব দিবার তা প্রধান মন্ত্রীমহাশয় দিয়েছেন। আমি এইটুকু বলতে পারি ঘাটাল এবং জলপাইগুড়িতে যেমন ফেটে গেছে তেমনি আরও অনেক জায়গায় ফাটে নি এবং সেখানে স্বাস্থ্যকেন্দ্রগুলি সুন্দরভাবে পরিচালিত হচ্ছে।

SJ. ANNADA PROSAD CHOUDHURI:

২।৪টার কথা বলুন।

SJ. TARA SANKAR BANERJEE:

লাভপুরের কথা বলছি।

SJ. ANNADA PROSAD CHOUDHURI:

এ একটা জায়গা?

SJ. NIRMAL CHANDRA BHATTACHARYYA:

বোহ হয় তারশঙ্কর বাবুর বাড়ীতে ফাটে নি।

[12-10—12-20 p.m.]

Sj. TARA SANKAR BANERJEE:

আমার বাড়ীর বাস্তবিক কথা নয়। সে বাড়ী সরকার অবশ্য করে দেন নি। কিন্তু লাভপুরের যে স্বাস্থ্য-কেন্দ্র সেটা ফাটে নি। লাভপুরের বনিয়াদী স্কুল সেটা হয়েছে সেটাও ফাটে নি। হয়ত শীঘ্র শীঘ্র কাজ করবার জন্য ৫০টার মধ্যে ১৫।২০টা ফেটেছে। বাড়ী তৈরীর কাজে ফাঁকি হতে পারে। সেখানে চুটি হয়ে থাকতে পারে। তারপর যেখানে স্বাস্থ্যকেন্দ্র করা হয়েছে সেখানে জনসাধারণের কাছ থেকে সাহায্য চাওয়া হয়েছে।

(At this stage blue light was lit.)

আমি কয়েক মিনিট বেশী সময় প্রার্থনা করছি। আমার এখনও কিছু বক্তব্য আছে। স্বাস্থ্যকেন্দ্রের কথা ছেড়ে দিয়ে রায় চৌধুরী মহাশয়ের কথার উত্তর দেব। তিনি ৫০ মিনিট ধরে বহু অগ্রদূত করে বক্তৃতা করেছেন। অল্প কয়েক মিনিটে তার জবাব দেওয়া সম্ভবপর নয়। তিনি বনিয়াদী শিক্ষা সম্পর্কে বলেছেন যে রাতারাতি কোন উদ্যোগ আয়োজন না করে ১৩।১৪ শ স্কুলকে “বেসিক স্কুলে” পরিণত করা হয়েছে।

Sj. MOHITOSH RAI CHOUDHURI:

১৪ হাজার।

Sj. TARA SANKAR BANERJEE:

ঠিক হয়েছে। ১৪ হাজার স্কুলকে উদ্যোগ আয়োজন না করে এগুলোকে “বেসিক স্কুলে” পরিণত করে পাঁচমবর্গ সরকার নাম নিয়েছেন। তিনি বলেছিলেন যে এই “বেসিক স্কুলগুলোয়” প্রথম ২ বৎসর বই না পড়িয়ে লেখাপড়া সেখান হয়; তাতে হয় এই—এই “বেসিক স্কুলগুলোয়” ৪ বৎসর তা দিয়ে যে ডিম ফোটে তা থেকে ঘোড়া না হয়ে গাধা নির্গত হয়। এই গাধা নির্গত হয়ে “সেকেন্ডারী স্কুলে” যায়, এবং সেখানে কয়েক বৎসর পাঠ করে সেখান থেকে গাধা হয়ে কলেজে আসে। কিন্তু আমি জানি এই কর্মটা করা হয়েছে ১৯৪৯ সালে। ১৯৪৯ সালে যে ডিম তা দেওয়া হয়েছে সে ডিম এখনও ফোটে নি। এখনও তা থেকে গাধা নির্গত হয়ে “সেকেন্ডারী স্কুলে” যাবার সময় হয় নি। “সেকেন্ডারী স্কুলে” বা কলেজে এসে শিক্ষকসম্প্রদায়কে ব্যতিবাস্ত করবার বয়স হয় নি। অবশ্য ডাবীকালের কথা স্মরণ করে তাদের জন্য চোখের জল ফেলতে রাজী আছি। তারপরে কিশলয় বোলে একটা বই পড়ান হয়েছে। তার জন্য অনেক অভিজ্ঞ শিক্ষকের পুস্তক ব্যতিল করে এইরকম ধরণের পুস্তকের ব্যবস্থা করা শিক্ষা বিভাগের অনায়া হয়ে থাকবে।

আর একটি কথা—কলেজ বিকেন্দ্রীকরণের কথা—প্রধান মন্ত্রী মহাশয় তার জবাব দিয়েছেন। আর একটি বিষয়ের প্রতি মহাতোষ বাবুর দৃষ্টি আকর্ষণ করছি। বাংলাদেশের যুবকদের শিক্ষাদানের দিকে দৃষ্টি নিক্ষেপ করে তিনি বহু আক্ষেপ করেছেন। তার কারণ “বেসিক স্কুল”এর বা বর্তমানকালের শিক্ষাপদ্ধতির চুটি নয়, পুরাতন কালের শিক্ষার চুটি। কিন্তু তিনি বোঝেন না যে বর্তমানকালে কলেজ এবং স্কুলের শিক্ষার বাহিরে আর এক ধরণের শিক্ষাপদ্ধতি রাজনৈতিক দলের মধ্য থেকে প্রচারিত হচ্ছে। তার ফলে যুবকদের কি শিক্ষা হয় তার দৃষ্টান্ত দিই।

প্রত্যেক রাজনৈতিক দলের এক একটা সাংস্কৃতিক বিভাগ আছে এবং এই সাংস্কৃতিক বিভাগের সহিত বহু অধ্যাপক সংশ্লিষ্ট আছেন। সেই সাংস্কৃতিক অভিভাবকগণ বর্তমানকালে ছাত্রদের শিক্ষানবীশদের এমনভাবে শিক্ষা দেন যার জন্য রাজনৈতিক দলের অনেক কক্ষী প্রতিবাদ জানিয়েছেন। সেই সাংস্কৃতিকগণ কর্তৃক রবীন্দ্রনাথকে সম্প্রদায় বিশেষের “টাউট”, আর রামমোহন, বিবেকানন্দকে রিটিসের এজেন্ট বলা হয়েছে।

যেখানে রবীন্দ্রনাথকে চিৎপুরের সম্প্রদায়বিশেষের “টাউট” বোলে শিক্ষা দেওয়া হয় সেখানে শিক্ষার অবনতি সম্পূর্ণ স্বাভাবিক।

Sj. NIRMAL CHANDRA BHATTACHARYYA:

এ কথা কে বলেছেন, দয়া করে বলুন।

Sj. TARA SANKAR BANERJEE:

“অগ্রণী” পত্রিকা, ১৩৫৮ সালের চৈত্র মাসের—লেখক চিত্তরঞ্জন রায়।

Sj. NIRMAL CHANDRA BHATTACHARYYA: On a point of information. What is the book the Hon'ble Member is reading from?

Sj. TARA SANKAR BANERJEE: I am reading from “Agrani” and it is a Communist Party publication.

Sj. NIRMAL CHANDRA BHATTACHARYYA: The Hon'ble Member should go to the source books for correct information and not derive his authority from “Agrani”.

SJ. TARA SANKAR BANERJEE:

এই রকম বিকৃত শিক্ষা হলে শিক্ষার অবনতি স্বাভাবিক। সেখানে সরকারী সাহায্যের অভাব নাই। আজ আমাদের জাতীয় জীবনের দুর্ভোগের দিকে সেটা ইংগিত করে।

আমার দরদী বন্ধু ইংগিত করেছিলেন যে আমি করেক মৃদু রোপার লোভে তাঁদের ছেড়ে গিয়েছি। আশা করি আমি যে করেক মৃদু রোপা পাব সে থেকে আমার দরদী বন্ধু বিগত হবেন না—বিনি ভাবীকালের নবরঙ্গের একজন রত্ন।

SJ. SANKAR DAS BANERJEE: Sir, there has been a great deal of debate on practically every topic and I do not want to waste the valuable time of this House in repeating myself over again on those topics but one particular subject to which I would like to refer is the subject which was raised by Professor Nirmal Chandra Bhattacharyya, namely, the repressive laws which have been introduced into India.

[12-20—12-30 p.m.]

What are repressive laws? That has got to be thought of first. Has he in mind the Preventive Detention Act? The position is this, Sir. Repressive laws or Acts similar to the Preventive Detention Act were in existence in India during the time of the British. When the British handed over the country to us, when we became independent and we framed our own Constitution, these things were present in the mind of those who were responsible for drafting the Constitution. The gentlemen who were responsible for drafting Article 19 which ensured freedom of speech, of movement, of action, and so on and so forth, certainly knew the existence of Acts such as these. Sir, they did not provide in the Constitution that it would be wrong, it would be arbitrary to keep people in detention without a fair trial. On the contrary, every good student of the Indian Constitution will tell you that, especially, reservations were made for the preservation of Acts, similar to the Preventive Detention Act. Sir, since we became independent, naturally enough people who were under detention came before the law courts claiming under the fundamental rights to assert that they were entitled to be freed. Sir, you have under the Constitution the right to apply for the writ of *habeas corpus*. Numerous applications came up before the courts. Hundreds streamed in both from Madras and from Bengal. What was the result? The learned Judges closely scrutinised the contents of those petitions and wherever they considered that there was no case to go or they were doubtful or the case was weak, immediately their release was ordered. Cases, where release was not ordered were taken to the Supreme Court. Sometimes they met with success, at other times they failed. But I do think, and I say so without fear of contradiction, that the Supreme Court has nowhere said that you cannot have the Preventive Detention Act. Certainly if the framers of the Acts made mistakes in the matter of drafting, if they went wrong, they made technical mistakes, the court of law is there to put matters right, and the courts of law in fact have put matters right. The whole question is, on principle should we have an Act similar to the Preventive Detention Act? I see no reason at all why we should not have that Act. Sir, the High Court is there, the Judges are there, the Supreme Court is there. Have you no confidence at all in your Judges? (Laughter from the Opposition Benches.) I see members laughing because they had no practical idea of the administration. We are not professors sitting in schools lecturing—(Interruption from the Opposition Benches.) I refuse to be interrupted. There are Judges to put matters right. Either the people of this country have confidence in the Judges, in the integrity of the Judges, or they have not.

SJ. K. P. CHATTOPADHYAY: On a point of order, Sir. There is no question of doubting the integrity of the Judges. But the law as it stands—

Mr. CHAIRMAN: It is no point of order. You proceed, Mr. Banerjee.

SJ. SANKAR DAS BANERJEE: When correct information is sought, it will be given at the right time. An attempt was made—(Interruption from the Opposition Benches.) You can go on interrupting. You will never be able to stop me, that I guarantee. But I will say this, on policy we should have a Preventive Detention Act. And why should we have it? Any man connected with this administration will tell you that sometimes information is received of heinous crimes about to be committed. Well, Sir, the informers are afraid to come up as witnesses and tell the court "this is my information, this is the source of my information". The reason why they are afraid, as practical experience has shown, is that those people run the danger of being killed. (Laughter from the Opposition Benches.) You may laugh, but the fact remains there. The activities in Jessop's factory are fresh in our minds. We know what happened under the guise of labour leadership.

SJ. NIRMAL CHANDRA BHATTACHARYYA: Was he a Government spy at any time?

Mr. CHAIRMAN: Mr. Banerjee, that matter is *sub judice*, so please do not refer to that.

SJ. SANKAR DAS BANERJEE: I accept your ruling, Sir. But I repeat from the point of administrators—we are not professors, we are not academicians, we are all ordinary mortals, we deal every day with men, we are no fearers. I have not the good fortune of lecturing to students, but I have the duty of seeing every day in a court of law how matters are done, how matters are conducted there. (Interruption from Opposition Benches.) Sir, let me finish. I know my learned friends feel the pinch, and because of the pinch there is so much interruption, but the fact remains there. On principle should we have a law similar to the Preventive Detention Act? The State is new, it is a new-born babe. It is in the cradle. We have been permitted to talk in houses such as this and talk at random without knowing anything about how administration is carried on. I will tell you, Sir, the Preventive Detention Act, as the Chief Minister pointed out, has been utilised not merely for the purpose of apprehending people who are a source of danger to the State but people who have been behaving in a peculiar fashion—I mean hoarders, profiteers, who are a menace to the society. Preventive Detention Act is there. Sir, I say this, although this State tolerates Communists and different elements—according to my learned friends Communists are coming, I hope they will come but there are some people who positively dislike them. But I will say this about the Preventive Detention Act. If a citizen is honourable, if a citizen is fair, what is he to be afraid of? If you only know the procedure that takes place when a man is put under arrest, he is given a chance under the Constitution to make out a case.

SJ. ANNADA PRASAD CHOUDHURI: On a point of order, Sir. আমরা এই যে বক্তৃতা শুদ্ধি একটি গভর্নরের স্পীচের উপর, না নির্মল বাবুর বক্তৃতার উপর?

Mr. CHAIRMAN: I think he is in order to speak on the points raised by Sj. Bhattacharyya.

SJ. SANKAR DAS BANERJEE: The procedure laid down by the Constitution is this, and it has been explained in various judicial decisions. The person apprehended must be given a fair and reasonable chance, he must be acquainted with the charges with which he is confronted and he must be permitted to give a reply. The reply in due course will be placed before the persons like High Court Judges. If they consider that there is nothing in it, then those persons will be permitted to go, otherwise they are kept in detention. What is there wrong about it? Sir, after all we all

know that in this country foreign money is percolating and with that money propaganda is carried on against the State, and we ought to endeavour to crush people who utilise the foreign aid and jeopardise the position of the State.

8J. NIRMAL CHANDRA BHATTACHARYYA: You are receiving money from America.

Janab ABDUL HALIM: You are the agents of America.

8J. SANKAR DAS BANERJEE: That is why I repeat in the well of this House with confidence that it should be the endeavour of the State to crush elements who are a source of danger to the society. (Interruption.) I do not care, that is my view, and I think every sensible man holds it. Sir, there is Pakistan, there is Russia. Do you ever hear the voice of any other Party? Does Pakistan permit gentlemen such as those to come and talk about Communism? I do not care—every sensible nation will crush people who are a source of danger to the State.

The only other point that I wish to allude to, of which I think I have firsthand knowledge, is corruption. I find one of the amendments is—what is the policy of the Government regarding corruption? Before members bring in amendments such as these, they would be saving a great deal of Government money—I have taken the trouble of finding out what the Government has been doing so long. Sir, there is the Prevention of Corruption Act of 1947. The Act has been directed to prevent corruption in this country. Now, Sir, it may come as information to many.

[12-30—12-40 p.m.]

The usual procedure in criminal cases is that the burden of proof is on the prosecution and not on the accused. But the Government in its anxiety to stop corruption in this country, what the Government did was to enact section 4 of the Prevention of Corruption Act making it clear that the burden of proof would be on the accused and not on the prosecution. When the time comes it may be necessary to introduce legislation which would ensure the safety and the freedom of the people. The Preventive Detention Act, as it stands, is a perfectly valid Act. (Interruption.) If you find that there is anything wrong about the Preventive Detention Act, why not introduce a Bill suggesting amendments in the light of the judicial decisions of the Supreme Court. What is the good of making charges and allegations about which you are not sincere. In that sense I say, I don't make any personal reflection against any particular member, but if you feel aggrieved with regard to any particular section of that Act, why not go up before the House and say, we want this section to be introduced by way of an amendment. I have digressed a little. The position is this. The Prevention of Corruption Act is there. The Government's policy is straight. They want this Act to be applied. While you accuse the Government of corruption and bribery, have you ever considered as to who pays the bribe? I agree, that in Government departments many people are corrupt, not everybody. But I am honest enough to say and I can acknowledge it. I am not one of those who are afraid of owning it. I am in the Government in the sense that I am connected with their administration. There must be black sheep in every fold, but the point is this. If Government servants accept bribes may I ask my friends here who are the persons who pay? After all, as the Chief Minister pointed out, by legislation or by howling you are going to remodel the country. You have got to correct your own self and unfortunately for us I say—you may consider me unpatriotic if you like, I do not care—we are a mass of corrupt people. We corrupt the Government servants; it is not their fault; it is our fault. You correct yourself before you come to criticise the administration. The policy of the Government is made plain. The Delhi Special Police Establishment is there. I do not know whether I am taking too much time but I

wish to tell the House that the Delhi Special Police Establishment is there. It started only to find out the corrupt Government officials—not the public who are impeding the administration. Then this Prevention of Corruption Act is there. If you do not assist, if you do not come forward, if you are not willing to figure as witness when these cases are tried, what you think the Government is going to do. Sir, as you know, we are great critics here but when it comes to a question of simply sitting in the Jury box to assist the administration of justice, people quietly slip away. We never get any assistance from anybody in the administration of law. If we try to get witnesses, people decline to come up and give evidence. What is the administration to do? Well, Sir, I won't waste any more time because time is short and other gentlemen may be willing to take part. But I say, Sir, it is no good putting forward criticisms for no reason at all.

With a few words more on the refugee problem I shall take my seat. My friends have commented on the refugee problem. I could hear one of the honourable members say that they are treated like cats and dogs. Sitting in this city, perhaps they have not seen what has been actually done and is being done. Sir, I come from the district of Nadia from a small hamlet. I keep the closest association with my village. I am not such a big man. I am a humble President Panchayat of my own union and I see what is going on from day to day. We have the largest influx of refugees in Nadia and the Dhubulia camp will bear witness as to how many people are there. Well, Sir, the gentlemen who are criticising today are invited by me to accompany me to my humble home. I will take them round to see in what way the Dhubulia Camp is run, what sort of accommodation has been given to them, what sort of treatment is being meted out to them, what is being actually given to them. Any man who is interested in the refugee problem will tell you. The Government has given them small houses, sometimes aluminium houses, little houses consisting of two rooms and so on. Government has given them maintenance month by month, agricultural loan, professional loan, business loan, loan of every description. But, gentlemen, have you ever considered this? The total population of Eire is 29 lakhs. If one fine morning all the citizens of the Irish Free State took it into their head to migrate to England, what would be the position? Now, Sir, look at Bengal. Twenty-five lakhs of men, and women, and children, many of them helpless, old and emaciated, they have come here. Just imagine the position of the Government. Sir, it has been complained in the amendment that there is no policy. Of course, there is a policy. The question is can you lay down a policy once and for all? The position is this. If I am right, Sir, migration into West Bengal started as early as 1946 after the Noakhali incidents. Well, Sir, after that came the partition and migration followed in its wake which was never contemplated by anybody in Western Bengal or in the whole of India. Well, Sir, Government went on. When things were looking up, up came the Hyderabad question. Well, no member of this House, I dare say, can find fault with the Central Government when they went to Hyderabad. Immediately there were repercussions. More and more refugees came in. Then, Sir, to cut the matter short, in February, 1950, there were the local disturbances and more refugees came in. Then, Sir, over the Kashmir issue still more refugees came in. Now, what do you expect the Government to do? Can you lay down the policy? If political upheavals take place from time to time and if people out of fear or for other reasons choose to leave East Bengal and come into this country, what is the Government to do? The Government has done its best. It is no good criticising the Government without acquainting yourself with the correct state of facts. Go to the refugee camps and see what has been done; see how they have been fed and clothed; of course there will be complaints. How can you avoid complaints because, as the Chief Minister pointed out, there are the people who are well placed in life, economically fit, and to live on doles is certainly a painful thing. But can it be helped? Sir, I find in one of the amendments that suitable measures have not been taken for their proper reception. Well, Sir, the

House has not been told how they should have been received. If the gentleman had told us what their complaints exactly were, we would have been very grateful to them.

Sir, I do not wish to take any more time of the House and I thank you all.

Mr. CHAIRMAN: Ladies and gentlemen, this debate will continue to-morrow and the House stands adjourned till 10 a.m. to-morrow.

Adjournment.

The Council was then adjourned at 12-40 p.m. till 10 a.m. on Thursday, the 26th June, 1952.

Members absent.

The following members were absent from the meeting held on the 25th June, 1952:—

- (1) Bagchi, Sj. Narendra Nath.
- (2) Banerjee, Sj. Bankim Chandra.
- (3) Bhattacharjee, Sj. Durga Kinkar.
- (4) Nahar, Sj. Bijoy Singh.
- (5) Sarker, Sj. Pranabeswar.

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 26th June, 1952, at 10 a.m. being the sixth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

Amendments to the Motion of Address in reply to the Governor's Speech (continuing from 23rd June, 1952).

[10—10-10 a.m.]

Mr. CHAIRMAN: Mr. Monindra Mohan Chakrabarty.

Dr. MONINDRA MOHAN CHAKRABARTY : মাননীয় সভাপতি মহাশয়, রাজ্যপাল মহাশয়ের ভাষণের উপর যে বিতর্ক ইতিমধ্যে হয়ে গেছে, তাতে আমাদের মুখ্যমন্ত্রীমহাশয় এবং সরকারপক্ষীয় কয়েকজন কিছু বলেছেন। প্রথম আমি মুখ্যমন্ত্রীমহাশয় যা বলেছেন সেই সম্পর্কে কিছু বলতে চাই। তাঁর কারণ আমার পক্ষে এটা অত্যন্ত আশ্চর্য্য বলে মনে হ'ল যে মুখ্যমন্ত্রীমহাশয় যে সময় তাঁর চাঁদের হাট মন্ত্রী আর উপমন্ত্রী সম্পর্কে তাঁর এত বেশী লোক নেওয়ার স্বপক্ষে যুক্তি দিতে গিয়ে, তাঁদের মর্যাদা দিতে গিয়ে, এত বেশী মাইনে দিতে গিয়ে, তাঁর সাক্ষ্যই গিয়েছেন। মুখ্যমন্ত্রীমহাশয় এর কিছুক্ষণ পরে শিক্ষকদের সামান্য কয়েকটা টাকা হ্রাস করতে গেলে যে টাকার দরকার হয়, তার দায়িত্ব নিতে অস্বীকার করেছেন। আমি জিজ্ঞাসা করি যে “ডেভেলপমেন্ট” এর জন্য এত বড় গলায় চোঁচাচ্ছেন, এই শিক্ষা কি সেই “ডেভেলপমেন্টের” মধ্যে পড়ে না? যদি “ডেভেলপমেন্ট” আমরা আমাদের এই প্রদেশের পক্ষে অত্যন্ত দরকারী বলে মনে করি, সেই “ডেভেলপমেন্ট” এর অন্যতম প্রধান অঙ্গ যে শিক্ষা, সেই শিক্ষা ব্যবস্থায় যে ত্রুটি আছে এবং শিক্ষকদের যে সামান্য বেতন তাতে তাঁদের চলে না। সেই জন্য তাদের যে অবস্থার পরিবর্তন করা দরকার, সে বিষয়ে মুখ্যমন্ত্রীমহাশয় অবহিত নন কেন?

SJ. NARENDRA NATH BAGCHI: On a point of information, Sir, are we debating the Governor's speech or the Statement of the Chief Minister?

Dr. MONINDRA MOHAN CHAKRABARTY: Mr. Chairman, I am referring to the speech of the Chief Minister in respect of his reply to some of the amendments proposed by me.

Mr. CHAIRMAN: I think, it is in order. You may proceed, Mr. Chakrabarty.

Dr. MONINDRA MOHAN CHAKRABARTY : মুখ্যমন্ত্রীমহাশয় “টেকনিক্যাল ট্রেনিং” প্রসঙ্গে আমার যে সংশোধনী প্রস্তাব আছে তিনি কতকগুলো “লিস্ট” দিয়ে বলেছেন “টেকনিক্যাল ট্রেনিং” এর জন্য তাঁর সরকার যথেষ্ট চেষ্টা করেছেন। আমি বলবো আমার সংশোধনী প্রস্তাবে যার উল্লেখ আছে অর্থাৎ কি না বিভিন্নস্তরের কারিগরী শিক্ষা, যেমন ধরুন যে বিভিন্ন শিল্পে বিভিন্নস্তরের কর্মী লাগে, তাদের “এক্সিকিউটিভ” এর কাজ করতে হয়, কারও হয়ত বা নিম্নস্তরের কাজ করতে হয়। প্রত্যেক সভ্যদেশে যেখানে শিল্পে খুব বেশী উন্নতি করেছে সেখানে যারা ইতিমধ্যে শিল্পের সঙ্গে জড়িত হয়, যে সব কর্মী সেখানে নিযুক্ত হয়, তারা যে বিষয়ে কাজ করেছে তাতে কলমে, সে বিষয়ে “থিওরেটিক্যাল” শিক্ষারও ব্যবস্থা আছে।

SJ. PANNALAL SARAOGI: On a point of order, Sir. I would like to point out that all Opposition members spoke yesterday. I think unfortunately the honourable member was left out yesterday, and the Chief Minister spoke after all the honourable members of the Opposition had completed their criticism on the Governor's speech. Now as a matter of fact the debate should be on the Governor's speech, not on Dr. Roy's speech.

Mr. CHAIRMAN: The Chief Minister did not close the debate. The debate is still on. The debate can be started and closed by the Leader of the House. Please go on, Mr. Chakrabarty.

Dr. MONINDRA MOHAN CHAKRABARTY : আমি বোটা বলছিলাম বিভিন্নস্তরের যে সমস্ত কারিগরী শিক্ষার প্রয়োজন আছে, সে সম্বন্ধে এই প্রক্ষেপ কোন রকম ব্যবস্থা হয় নাই। মিডায়ড: এই যে সমস্ত

কারিগরী শিক্ষা ও উচ্চস্তরের শিল্প শিক্ষা, তার জন্য যে ব্যবস্থা প্রয়োজন অর্থাৎ কি না যার উপর ভিত্তি ও বিনিয়োগ করে এই কারিগরী শিক্ষাগুলো হয় অর্থাৎ এই “আই, এস, সি, বি, এস, সি” ইত্যাদি, সেগুলো সম্পর্কে আমাদের সরকার কোন পর্যাপ্ত ব্যবস্থা করেন নাই।

“ওয়েস্ট বেঙ্গল কলেজ এণ্ড ইউনিভারসিটি টিচার্স এসোসিয়েশন” একটা প্রভাবশালী এবং প্রতিনিধিত্বমূলক সংস্থা, তাঁরা বার বার শিক্ষা দপ্তরের কাছে আবেদন করেছিলেন যে যে বিজ্ঞানটা কারিগরী শিক্ষার বিনিয়োগ স্বরূপ, যাতে বিভিন্ন কলেজে সেই শিক্ষা দেওয়ার সুবিধা হয়, তার জন্য সেই সমস্ত কলেজে সাহায্য ব্যবস্থা চাই। তাঁরা গতবার শিক্ষামন্ত্রীর সঙ্গে দেখা করতে চেয়েছিলেন; কিন্তু বড়ই আশ্চর্যের বিষয় সেই শিক্ষামন্ত্রীমহাশয় নাকি বলেছিলেন “নো ইউজফুল পাস্‌পাস্‌ উইল বি শারভড্‌ বাই রিটিং সাচ্‌ ডেপুটেশন”। আপনারা ভেবে দেখুন “ওয়েস্ট বেঙ্গল কলেজ এণ্ড ইউনিভারসিটি টিচার্স এসোসিয়েশন” এর মত একটা প্রতিনিধিত্বমূলক শিক্ষকদের সংস্থা, তাঁদের সঙ্গে আমাদের সরকার শিক্ষার কোন ব্যাপার সম্পর্কে যদি আলোচনা করতে অস্বীকৃত হন, তাহলে সেই শিক্ষা ব্যবস্থার মধ্যে জটী কোথায়। তাঁদের বিভিন্ন সময়ের স্মারকলিপিতে তাঁদের বিভিন্ন পুস্তকে বলেছেন, এই যে সরকারী ও বে-সরকারী কলেজে শিক্ষা ব্যবস্থার যে পার্থক্য করা হয়, সেটা অত্যন্ত অন্যায্য। আমাদের এই রাষ্ট্রে সকলেই ট্যান্স সেম এবং সেই ট্যান্স থেকে কিছু সংখ্যক ছাত্র কিছু বেশী সুযোগ সুবিধা পাবে সরকারী কলেজে আর বে-সরকারী কলেজে যেখানে ছাত্র সংখ্যা অনেক বেশী, সেখানে তারা সুযোগ সুবিধা কম পাবে, এই যে, বৈষম্যমূলক ব্যবস্থা এটা বজায় থাকে কি সম্ভব? “ওয়েস্ট বেঙ্গল টিচার্স এণ্ড কলেজ এসোসিয়েশন” তাঁরা বিভিন্ন সময়ে আরও জানিয়েছেন “The immediate arrangement for preparing a well planned and integrated scheme of educational reconstruction covering all stages and aspects and specially suited to the present requirements of the State of West Bengal” অর্থাৎ কি না এই সংস্থা মনে করে এখানকার যে শিক্ষা ব্যবস্থা, সেই শিক্ষা ব্যবস্থা আমাদের দেশের প্রয়োজনের পক্ষে সম্পূর্ণ অনুপযুক্ত। আমি মনে করি এব বিরুদ্ধে প্রধান মন্ত্রীমহাশয়ের কোন যুক্তি নাই। কেন না এটা বলছে এমন একটা শিক্ষকদের সংস্থা যাদের উপর উচ্চ শিক্ষার ভার অপিত আছে।

কারিগরী শিক্ষার ব্যাপারে একটা প্রধান অঙ্গ হ’ল তার ব্যবহারিক শিক্ষার ব্যবস্থা করা। আমি ইউনিভার্সিটির কারিগরী শিক্ষা সম্পর্কিত একটা বিভাগেব সঙ্গে সংশ্লিষ্ট। যারা “এম,এস,সি”তে “টেকনোলজি” পড়ে, তাঁদের জন্য বিভিন্ন কারখানায় ব্যবহারিক শিক্ষার জন্য সুযোগ চাওয়া হয়। কিন্তু নানা অজুহাতে এই সমস্ত কারখানায় মালিকবা সে সুযোগ দিতে অস্বীকার করেন। সেজন্য আমরা সবকিছবে কাছে আবেদন করেছি। কোন কোন ক্ষেত্রে আমাদের “কেস্‌” তাঁরা নিয়েছেন। কিন্তু সাধারণভাবে বলা যেতে পারে এই ব্যবহারিক শিক্ষার ব্যাপারে যেটা না হ’লে এই “টেকনিক্যাল” শিক্ষাটা সম্পূর্ণ হতে পারে না, সে ব্যাপারে সরকারী কোন বন্দোবস্ত নাই। শুধু তাই নয় সরকারের বিভিন্ন দপ্তরকে এ বিষয়ে প্রয়োজনীয় সাহায্যের জন্য অনুবোধ করলেও সব সময়ে সেই সাহায্য পাওয়া যায় না এই বিষয়ে আপনাদের দৃষ্টি আকর্ষণ করতে চাই। যদি এই কথা সত্য হয় পশ্চিম বাংলাকে বাঁচতে গেলে তাকে একটা শিল্প-সমৃদ্ধ রাষ্ট্ররূপে বাঁচতে হবে। জর্মানীর যে “ক্লর” অঞ্চল ছিল পশ্চিম বাংলাকেও তেমনি “ক্লর” অঞ্চলের মত হতে হবে। তা যদি হতে হয়, তাহলে বিভিন্নস্তরের “টেকনিক্যাল ট্রেনিং”এব ব্যবস্থা থাকা দরকার। প্রধানমন্ত্রীমহাশয় যে “লিস্ট” দিয়েছেন তাতে ছাত্রদের অতি সামান্যই সুযোগ সুবিধা দেওয়া হয়েছে বাংলা দেশের প্রধান প্রতিষ্ঠান হচ্ছে তিনটা—যাদবপুর কলেজ, “ইউনিভারসিটি কলেজ অব সায়েন্স” এবং “বি, ই, কলেজ”—প্রতি বৎসর এখানে ৭৮ হাজার দরখাস্ত পড়ে এই শিক্ষা লাভের সুযোগের জন্য। তার মধ্যে মাত্র এক হাজারেরও কম ছাত্রকে এখানে নেওয়া সম্ভব হয়। এই অবস্থায় আমাদের মুখ্যমন্ত্রী কি করে দাবী করতে পারেন যে তার সরকার “টেকনিক্যাল ট্রেনিং” এর জন্য সম্পূর্ণ বন্দোবস্ত করেছেন। মুখ্যমন্ত্রীমহাশয় নিজে তিনি যাদবপুর কলেজের সঙ্গে সংশ্লিষ্ট। তিনি জানেন প্রতি বৎসর ৩৪ হাজার দরখাস্ত পড়ে সেখানে। তার মধ্যে মাত্র সেখানে “পলিটেকনিক্‌” বিভাগে দুশো ছাত্র নেবার ব্যবস্থা আছে। আর একটা বিশেষ কথা এই যে সমস্ত কারখানায় যারা আছেন তাঁদের হয়ত আবও আনুমানিক শিক্ষার প্রয়োজন হয়ে পড়ে। একজন “ফার্মাসিউটিক্যাল ওয়ার্কস্‌”এ কাজ করেন রাসায়নিক ডিপার্টমেন্টে তাঁদের পক্ষে “মাইক্রোবাইওলজি” শিক্ষার প্রয়োজন। কিন্তু সে রকম প্রয়োজন বোধ বা সেরকম ব্যবস্থা হয়নি। “ইউনাইটেড কিংডম্‌”এর শিক্ষার সঙ্গে যীরা পরিচিত তাঁরা জানেন যে সেখানে যত “পলিটেকনিক্‌” আছে তাতে রাত্রির বেলা পড়া যায়। যারা কারখানায় কাজ করে তাঁদের মধ্যে যাদের এক বিষয়ে অভিজ্ঞতা আছে তাঁদের পক্ষে অন্য বিষয়ে কিছু অভিজ্ঞতা বা শিক্ষালাভ সম্ভব হয়। এই ব্যবস্থা যদি এখানে না হয় তাহলে পশ্চিমবঙ্গের তথা ভারতবর্ষের শিল্পোন্নতির কোন সম্ভাবনা নাই। কারণ শিল্পের প্রধান প্রয়োজন হচ্ছে শিক্ষিত কারিগর এবং শিক্ষিত “একজিকিউটিভ”। মুখ্যমন্ত্রীমহাশয় যে ব্যবস্থা করেছেন সে ব্যবস্থায় তার প্রতীকার মেলে না। মুখ্যমন্ত্রীমহাশয়কে আর একটা কথা স্মরণ কোরিয়ে দিতে চাই।

[10-10—10-20 a.m.]

তিনি শিক্ষকদের বেতন সম্পর্কিত ব্যাপারে বলেছেন যে তাঁদের সামান্য কিছু দিলে বহু লাখ টাকার দরকার হয়। “ওয়েস্ট বেঙ্গল কলেজ টিচার্স এসোসিয়েশন” বহুকাল থেকে বলে আসছেন যে তাঁদের প্রত্যেক কলেজের শিক্ষক মাত্র ১০৮ টাকা কোরে মাংগী ভাতা সরকার থেকে পেয়ে থাকেন। আমি বলি যদি কলেজের বিভিন্ন বিভাগের শিক্ষকদের এবং উপমহাদেশের যোগ্যতা তুলনামূলকভাবে বিবেচনা করা যায় তাহলে স্বীকার করবেন যে অধিকাংশ উপমহাদেশীয় কলেজ শিক্ষকদের যোগ্যতা অনেক বেশী। তাঁদের প্রত্যেকের জন্য যদি বছরে ১ লাখ টাকা খরচ হতে পারে তাহলে যে দুহাজার কলেজ শিক্ষক আছেন যারা দাবী করেছেন “ইনটেরিম সেজার” হিসাবে মাসিক ৫০৮ টাকা বাড়ান তাহলে মাসে জোর ১ লাখ কি দুলাখ টাকা খরচ হতে পারে। যদি ভাবেন শিক্ষার উন্নতির জন্য এটা না করলে চলবে না তাহলে এই সামান্য কয়েক লাখ টাকা বরাদ্দ করতে অস্বীকৃত হন কেন? কাজেই তারা মুখে যাই বলুন কাজের বেলায় কাজ করা তাঁদের নীতি নয়। কালকে এক বিরোধী-পক্ষীয় সদস্য এক বিশিষ্ট অধ্যাপককে বলেছিলেন যে আমরা অধ্যাপনা করি না। তিনি ওকালতী করেন। উকীলের মনোভাবের দরুণই ঐ রকম প্রোবোজি করতে পারলেন। আমার বিশ্বাস আছে যে বাংলা দেশের শিক্ষক সমাজ যারা দেশের ভবিষ্যৎ এবং যারা এতবেশী ভাগ্য বরণ কোরে দেশকে এগিয়ে নিয়ে যাচ্ছেন তারা এই প্রোবোজি দ্বারা অপমানিত হবেন না। যদি অযোগ্যতার অপমান হয়ে থাকে তাহলে সে বজায়ই হয়েছে।

সভাপতি মহাশয়, “অরিক ঝাঁদ ফ্লাও” আন্দোলন সম্পর্কে আমার সংশোধনী প্রস্তাব আছে। ঝাঁদ বলতে আমরা নিচমু ঝান ও গন বুঝি না। আরও প্রধান ঝাঁদ আছে, যা না হলে চলে না যেমন দুধ, মাছ ইত্যাদি। আমরা শুনেছি যে হরিণখাটা “কিন্” হয়েছে এবং কিছু কিছু দুধ বাজারে ছাড়া হচ্ছে। কিন্তু ঝাঁদমহাশয় ও সন্থিষ্ট মহাশয় ৫ বৎসরের মধ্যেও বাংলা দেশে ও কলিকাতা সহরে দুধ উৎপাদন ও দুধ বণ্টন ব্যবস্থার কোন উন্নয়ন যোগ্য উন্নতি করতে পেরেছেন? শুনলাম “মিল্ক কমিশনার” আছেন একজন দুধের উৎপাদন বাড়ানোর জন্য। সে ভরলোক নাকি চাকার যখন ছিলেন তখন যা মাছিনা পেতেন এখন তাঁর চতুর্ভুজ মাছিনা পান। এটা ঠিক কি না জানি না। তাঁর নিয়োগকাল থেকে কি পরিমাণে দুধ বেড়েছে জানি না। বোধ হয় বাংলা দেশের জনসাধারণও জানে না। তা ছাড়া দুধ বোলে যে জিনিসটা চলে যা কোঁন সভা দেশে হয় না, যার নাম “টোনড মিল্ক”—এই “টোনড মিল্ক” মানে দুধ থেকে মাখন তুলে নিয়ে তার সঙ্গে গুঁড়ো দুধ মিশিয়ে তার “বটাম কন্টেন্ট এ্যাড্জাস্ট” করা হয়। দুধের মধ্যকার “ফ্যাট সনিউবল ভাইটামিন ডিফ্যাট” কবাব সময় যদি তুলে নেওয়া হয়, আর যদি শুকনা গুঁড়ো দুধ যা “স্প্রে ড্রাইং প্রসেস”এ তৈরী করা হয় এবং যাতে ঐ ঝাঁদপ্রাপ্ত বা “ভাইটামিন” থাকে না বুলেই চলে তাকেই বলে “টোনড মিল্ক”; আর এই “টোনড মিল্ক” সরবরাহ কোবে জাতিব যাবা ভবিষ্যৎ এই শিশুবা তাঁদের এবং অন্য লোকের কত ক্ষতি করা হচ্ছে। আমাব মনে হয় এর প্রতীকার হওয়া দরকার।

তারপর মাছের ব্যাপার। সকলেই জানেন “মাগরিকা”, নীহারিকা” ইত্যাদি নানারকম মাছধরা জাহাজ হয়েছে। মুখ্য-মহাশয় সব বিষয়ে পণ্ডিত। তিনি বিলাতে আরও জাহাজ আনাবার ব্যবস্থা করে এসেছিলেন। আজ আমাদের মাননীয় মৎস্যমহাশয়কে দেখছি না, তিনি কাল উপস্থিত ছিলেন। তিনি থাকলে জিজ্ঞাসা করতাম এতে কি মাছের সমস্যার কোন প্রতীকার বা উন্নতি হয়েছে? আমরা ত দেখছি সমস্যা যেখানে সেখানেই রয়ে গেছে। গত বছর “সায়েন্স কনগ্রেস”এর সময় “প্রঃ হলভেন” বলেছিলেন বাংলা দেশের ঝাঁদসামস্যার সমাধান অতি সহজ। এখানে হাঁস মুরগী পালনের বিস্তীর্ণ ক্ষেত্র আছে। যদি ভিঘের উৎপাদন বাড়ান যায় তাহলেই সমস্যা চলে যায়। কিন্তু আমাদের সরকার অভিজ্ঞ ব্যক্তির উপদেশ নেওয়া দরকার মনে করেন না। সব সময়ই তারা বড় “এক্সপার্ট”এর চেয়েও বেশী ভাল বোঝেন। প্রধানমহাশয় বহুছেন আমি যা করছি বিশ্বাস কোরে নাও “বিশ্বাসে মিলায় বস্ত, তর্কে বহুদূর”।

Sj. DEVA PRASAD CHATTERJEE: On a point of order. I think personal reflections are becoming rampant.

Dr. MONINDRA MOHAN CHAKRABARTY: I do not think, I made any personal reflections.

Mr. CHAIRMAN: The honourable member has not made any such personal reflection. He will proceed with his speech.

Dr. MONINDRA MOHAN CHAKRABARTY: উৎসাহ পূর্বকাল ব্যাপারে এবং ভূমি বণ্টন ব্যাপারে ঔপন্যাসিক ভাষণের বক্তব্যোপাখ্যায় মহাশয় বলেছেন যে এখানে ভুলি নাই। আমি বিশ্বাস করি যে পরিষদের সকল পক্ষের মাননীয় সদস্যেরাও স্বীকার করবেন যে বাংলা দেশের গীবান পরিবর্তন হলে বিশেষকোরে

বিহারে যে সমস্ত বাংলা ভাষাভাষী অঞ্চল আছে সেগুলি বাংলায় ফিরিয়ে আনা হলে উদ্ভাস্ত পুনর্বাণন, ভূমি সমস্যা এবং খাদ্য সমস্যার সমাধান হতে পারবে। His Excellency's Government has not mentioned the important question of readjustment of the boundaries of the Bengali speaking areas. এখন "সেন্টার" থেকে খাদ্য আনতে হয়। বাংলা দেশের সীমানা পরিবর্তন হলে এই খাদ্য সমস্যার সমাধান হবে। আর একটা গুরুতর সমস্যা; হ'ল ফরকা বাঁধের ও সেতুর সমস্যা। অবিলম্বে ফরকার বাঁধ এবং তার সঙ্গে কলিকাতা পর্যন্ত ট্রেজিং না হলে, কলিকাতা বঙ্গের ধ্বংস হবে, এবং বাংলার অন্য অংশের সঙ্গে "কনেকশন" থাকবে না। অত্যন্ত ক্ষোভের ব্যাপার যে এই সমস্ত অতি প্রয়োজনীয় সমস্যার সমাধানের কোন উল্লেখ করা হয় নি। প্রত্যেক ব্যাপারেই দেখি রাজ্যপাল মহাশয়ের মহীমণ্ডলী চরম ব্যর্থতার পরিচয় দিয়েছেন। আমি বুঝতে পারি না কি কোরে এই সমস্ত গুরুতর সমস্যা অবহেলা করতে পারেন। বাংলা ভাষাভাষী বিহারের অঞ্চল যখন আলোচন করেছিল তখন মুখ্যমন্ত্রীমহাশয় গিয়ে তাদের বারণ কোরে এসেছিলেন। সকলেই জানেন সেখানে কি রকম নিরঙ্কুশতার অত্যাচার চালান হয় সে অঞ্চল হিন্দী ভাষাভাষী বলে প্রমাণ করবার জন্য। সে সব অঞ্চল যদি বাংলা দেশে আনতে পারি তাহলে অনেক সমস্যার সমাধান হয়। কিন্তু এই গুরুতর সমস্যার সমাধানে মহীমণ্ডলী ব্যর্থতার পরিচয় দিয়েছেন এবং কেন্দ্রীয় গভর্নমেন্টের উপর কোন প্রভাব বিস্তার করতে পারেন নি।

"করাল ইলেক্ট্রিকেশন" সম্বন্ধে রাজ্যপালের ভাষণে বলা হয়েছে। "করাল ইলেক্ট্রিকেশন" কিছু হয়েছে ভাল কথা। কিন্তু কলিকাতার কাছাকাছি হাওড়া ও হুগলী যেখানে থেকে অধিকাংশ "ডেলী পাসেনজার" যাতায়াত করে সেখানে যদি "ইলেক্ট্রিকেশন" এর কাজ সমাধা করা হয় তাহলে কলিকাতার উপর জনসাধারণের চাপ অনেক কমে যাবে। কিন্তু মহীমণ্ডলী এই যে সামান্য কথা এগুলি চিন্তা করার সময় পান নি। মাননীয় সভাপতি মহাশয়! অন্যান্য সদস্যরা বিভিন্ন সংশোধনী প্রস্তাবে বাংলা দেশে জমিদারী প্রথা উচ্ছেদ, ভূমি সমস্যার সমাধানে সরকারী ব্যবস্থায় যে দুর্নীতি তার নিবারণ এবং আরও নানাপ্রকার সংশোধনী প্রস্তাব উত্থাপন করেছেন, আমি বিশৃঙ্খল করি যে সেগুলি খুব যুক্তিপূর্ণ। আমি এই পরিষদের কাছে আশা করব যে পরিষদ সেই সমস্ত সংশোধনী প্রস্তাব গ্রহণ কোরে তাঁদের প্রতি শ্রদ্ধা দেখাবেন।

Statement by S_J. Chittaranjan Roy on a matter of personal explanation.

[10-20—10-30 a.m.]

S_J. CHITTARANJAN ROY: Mr. Chairman, Sir, I beg to give a personal explanation regarding certain allegations which my honourable friend S_J. Annada Prosad Choudhuri made against me the other day in the House.

S_J. NIRMAL CHANDRA BHATTACHARYYA: Sir, yesterday you ruled that the matter was closed. How can the honourable member raise it now?

MR. CHAIRMAN: Permission for personal explanation should be given with considerable discretion. I think that the Minister who feels that he has been made the target of allegations, in the interest of morality, should be allowed to make a statement—because this arises out of the debate. Moreover, he was not present on the day the allegation was made and he may be allowed to make a personal explanation. But let the honourable members kindly note that after he has given his personal explanation there will be no debate on it.

S_J. NIRMAL CHANDRA BHATTACHARYYA: Am I to understand, Sir, that you are going to vary your ruling—the ruling that you gave yesterday that the matter was closed and that no further discussion could be permitted.

MR. CHAIRMAN: According to Parliamentary procedure a member has a right to give a personal explanation with the permission of the Chair.

S_J. CHITTARANJAN ROY: Honourable member Srijut Annada Prosad Choudhuri, I am told—as I was not present in the House on the 23rd June, 1952, referred to certain incidents relating to an alleged criminal assault on a deaf and dumb woman. Though he very kindly did not mention the name, he gave two requisites for detection, one a Deputy Minister from

Midnapore, and the other a member of this House. As my position meets these two requisites I may take it that he has referred to me. I must confess that I am poorer in the knowledge of Parliamentary etiquette than my honourable friend Sj. Choudhuri. He had experience of this Parliament both as a member and as a Minister. So far as I know, during the absence of a Minister it is not etiquette to make allegations against him. This is not the first time I am facing the allegations. I had to face these allegations during my election, when throughout my constituency, the West Bengal Graduates' Constituency, comprising of graduates of four districts, Midnapore, Bankura, Burdwan and Birbhum—

Sj. K. P. CHATTOPADHYAY: Is it personal explanation, Sir?

Mr. CHAIRMAN: Please go on, Mr. Roy.

Sj. CHITTARANJAN ROY: This was spread by Mr. Choudhuri's election friends, both orally and in writing—

Sj. NIRMAL CHANDRA BHATTACHARYYA: Is this part of his explanation relevant, Sir?

Mr. CHAIRMAN: Let him state what he has to state by way of personal explanation.

Sj. CHITTARANJAN ROY: This was spread also through the columns of certain journals. The rejoinder was given to it by the executives of fourteen institutions of Midnapore town, Khargpur town, such as Ramkrishna Mission, Gurdwara, Red Cross Society, Medical Association, Bar Library, Sahitya Parishad, Vidyasagar Smriti Mandir, Merchants' Association, Central Co-operative Bank, and several other co-operative institutions. The propaganda failed and I was returned by the graduates of this constituency with a decent margin of difference of votes. The next attempt is here—had this not questioned the dignity of this august House and my distinguished colleagues, I would have spared myself in dragging the House to the mire.

Mr. Choudhuri and myself are well known to each other. So I believe that this allegation is not his own invention. It is his election friends who are responsible to place these things before him. So I think it is my duty to place facts before the House.

In 1941, February, there was an exhibition organised by the local Sahitya Parisad and Sri Annada Sankar Roy, i.c.s., opened it. I happened to be the Organising Secretary. There were stalls exhibited both by males as well as by females. Due to some misbehaviour on 4th March, 1941, I had to take action against some male and female exhibitors and their associates. The exhibition was closed on 9th March, 1941. On the 10th March, 1941, the exhibitors were leaving the town of Midnapore. A deaf and dumb woman was serving in a female organisation. When she was waiting at the Midnapore Railway Station with her associates of the organisation with their bags and baggages to avail of a train at about 10-30 p.m. at night, the woman was brought from the station and had to sign a complaint before the Police at first alleging an attempt to outrage her modesty, i.e., a charge under section 354, I.P.C. Then the same petition was corrected converting this charge, which was a moderate charge, into a graver charge alleging criminal assault on a deaf and dumb girl, i.e., a charge under section 376, I.P.C., and the date of the charge was given as on 5th March, 1941, i.e., five days before. Police had to take cognisance and enquiry was started. The Civil Surgeon examined the woman the very next morning and reported that this was false. The promoters of this drama then approached the then Superintendent of Police, Mr. C. J. Minister, i.p., an English gentleman, to take up the enquiry personally as they alleged that with my influence the Indian Police might be gained over. I was not in the good books of the Government at that time, and I had to pay special punitive tax and to carry Revolutionary Red Identity Card. The organisers believed that an English Police

Superintendent would serve their purpose. But to their disappointment, Mr. Minister, Superintendent of Police, after enquiry submitted a final report, as the charge was baseless. Then the promoters moved courts and after protracted course of hearings up to the High Court, his Lordship Mr. Justice Roxburgh observed that I was known to him, that I was a public man of importance, and so he ordered for my interest that there should be an open judicial enquiry. The then Sadar Subdivisional Officer after an elaborate and exhaustive enquiry openly held that the case was false and that it was engineered by interested parties due to party faction. And I was discharged; no charge was framed. The other party further proceeded and ultimately in the High Court Mr. Justice Roxburgh dropped the proceedings and accepted the report of the Subdivisional Officer.

[10-30—10-40 a.m.]

Thus no charge was framed against me and I was not proved as an accused on any charge. You will see from this that I got no exemption by executing any surety or security. Besides, the honourable member will kindly consider the legal provision. A charge under section 376, I.P.C., cannot be compounded on an accused giving any undertaking. Hence the story of giving an undertaking is absolutely concocted, and my friend Mr. Choudhuri has been misled. I never gave any undertaking that I would not come to public life. I may add that I am still the Secretary of the Vidyasagar Memorial Hall and one of the Secretaries of the public library therein. I am also one of the Secretaries of the Bangiya Sahitya Parishad, Midnapore Branch, and I am holding executive positions in four principal co-operative institutions of the district. The allegations referred to were false at least to the knowledge of the Midnapore public. I may with all humbleness mention that in spite of this heinous allegation I enjoy the confidence of at least 14 institutions of the self-same town and hold responsible positions in some of them. This scandalous allegation originated with, and it was spread during my election. For the statement that Mr. Choudhuri made containing false accusation against me I shall not blame him as being directly responsible. What I want to submit is that he should be conversant with the facts of the case before making such a statement. I have made this exhaustive statement in order that Mr. Choudhuri and my other distinguished colleagues who are the members of this august House should know the true facts.

Amendments to the motion of address in reply to Governor's Speech.

8J. SUBODH KUMAR BOSE: Mr. Chairman, Sir, a number of amendments have been moved by the members of the Opposition to be added in reply to the Address of His Excellency the Governor delivered in this House. Sir, these amendments are in the nature of criticisms levelled against the Governor. The keynote of these criticisms is that most of them are unreal and irresponsible and some of them consist merely of words of vituperation and reckless attacks on the Ministers. Sir, criticisms have been levelled against the agrarian policy of the Government, the industrial policy of the Government, the appointment of 29 Ministers of the Government, the educational policy of the Government, the development policy of the Government and any policy that the Government may follow has been criticised. Sir, I take up the criticism levelled against the appointment of 29 Ministers. In order to understand and appreciate the functional basis of the present-day Government from a practical standpoint, from the practical point of view of administration we must pause for a minute and analyse the background of the State of West Bengal in which the present Government is called upon to function. Sir, the present State of West Bengal which is a part of the former Province of undivided Bengal had been rather very unfortunate. During the last decade a number of afflictions visited upon the State. In 1943 famine visited Bengal and the ravages of this famine are still there. Due to this famine the social economy of this State was upset. Then during the war the war was nearer to the doors of this State

than any other State in India. Lastly, Sir, during the last few years there had been a very large influx of refugees consequent upon Partition of Bengal and all these afflictions have left scars on the fair face of the State of West Bengal and the Government is called upon to heal it up first and then to carry on its constructive programme. Sir, I remember one honourable member yesterday—I think it was my learned friend Mr. Mukherjee—said that the State of West Bengal is one-third in area of the State of Bombay and one-fourth of that of the State of Madras, and asked why should we have 30 Ministers here. But, Sir, my learned friend the honourable member is forgetting that although the size is one-third the problem of refugee rehabilitation and resettlement alone is four times in magnitude than any problem in the State of Bombay or in the State of Madras. (A VOICE FROM THE OPPOSITION BENCHES: What about East Punjab?) I hear a remark about East Punjab but I say, Sir, that the problem in West Bengal is far greater than that of East Punjab for very many reasons although I have given only a few reasons. Now, Sir, no other State in India has got such problems. The immensity and the complexity of the problems in Bengal is unique. Now, Sir, with this background the Government is converting the State from a Police State into a Welfare State. The Government is entering into an era of social reconstruction. (Sj. DEBENDRANATH MUKHERJEE: Welfare by charging the people with *lathis*.) I hear of *lathi* charges, Sir, but the honourable member is forgetting that safety of the people is the supreme law and the constitution guarantees the safety of the people and Government should not hesitate to deal with people who undermine the safety of the people and the safety of the State (Sj. DEBENDRA NATH SEN: Who was in danger there?)

Mr. CHAIRMAN: Allow him to proceed please, without any interruption.

Sj. SUBODH KUMAR BOSE: The Government is entering into a method of economic and social service aimed at catering to the needs of the citizens from the cradle to the grave.

Sir, the milk supply department of the Government has been opened to supply milk to the babies and in the morning we find in the streets of Calcutta the milk vans are moving freely distributing milk to the people who want it. (Sj. DEBENDRA NATH SEN: How much? To privileged Congressmen?) These interruptions would not demolish the fact that the supply is increasing daily. Then, Sir, we find that the fishing department of Government is sending trawlers to delve the depths of the Bay of Bengal for supply of better and more fish. We find that food is being distributed to the very door of the citizens of the industrial towns, I mean the rationed area (Sj. DEBENDRA NATH SEN: How much of it?) Enough to keep the body and soul together. I have quoted only a few instances out of the various other services. Health centres have been opened, educational institutions are being gradually augmented. Now, Sir, this is the programme of social service that the Government is launching.

Now who is to implement this huge task of social reconstruction? We want men to implement them. Now the Ministers who are conversant with the local conditions, who are in touch with the masses, who are conversant with the joys and sorrows of the people are to formulate policies and then there must be others who will translate those policies into action. Of course somebody might challenge and remark "Oh, there is the Civil Service". Yes, the Civil Service is there with all its efficiency. They have got to be reorientated. They have got to be initiated into this programme of social reconstruction and welfare. Sir, there is a very close example in Great Britain. When in Great Britain the Government launched a programme of social reconstruction and also developed certain departments of social reconstruction, they increased the number of Ministers; not only that, they also increased the powers of Ministers. Any casual glance at

the Report of the Committee on Ministers' Powers published by the Government of Great Britain will reveal that while undertaking this programme of social reconstruction, Ministers have got to take many unique decisions which they did not take before, namely, business decisions, etc. Now, Sir, the Ministers have got to play not only the role of a policeman but an industrialist, a businessman, a school teacher, and a scientist. As a matter of fact we are asking the Government—

[10-40—10-50 a.m.]

SJ. NIRMAL CHANDRA BHATTACHARYYA: On a point of order, Sir. It is almost a libel to say that the Ministers are policemen.

Mr. CHAIRMAN: They will look after themselves.

SJ. SUBODH KUMAR BOSE: Therefore, as a matter of fact we are asking the Government to be a universal provider. The Government cannot be a universal provider. We are making the State a paternal State. We cannot make it so unless we strengthen the Ministry with sufficient men who will implement the policies formulated. Anybody, Sir, who is connected with any public institution or any industry or any social institution knows that for the formulation and implementation of any policy a number of men are required to take immediate and quick decisions, and quick decisions have to be taken by Ministers in their respective departments.

Then, Sir, I heard Prof. Bhattacharyya criticising yesterday that there is no freedom of association. Sir, in this State there is as much freedom of association as is possible in any well ordered democratic body-politic. The honourable member is forgetting that so long as the Indian constitution is there nobody can take away the sacrosanct and sacred fundamental rights of the citizen, and the right of free association is always there. Whatever little restriction is there, if there be any, that is only to ensure greater enjoyment of a higher personal liberty. Sir, to quote a very popular illustration, there may be a few traffic regulations for people who are using a public highway. Those regulations are only meant for greater freedom of movement with safety and with greater personal liberty. They are meant for the citizens to enjoy the use of the public highway in a safer and better way and with greater personal freedom. Sir, whatever restriction there may be, it is only for the safety of the people and, as I said, the safety of the people is the supreme law and anybody undermining the safety of the State and anybody trying to break the peace of the public, those activities cannot be tolerated by any Government.

Then, Sir, Prof. Bhattacharyya made a remark that anybody who joins a trade union is victimised.

SJ. NIRMAL CHANDRA BHATTACHARYYA: On a point of information, Sir. I did not say anybody. I actually mentioned an instance.

Mr. CHAIRMAN: All right. You go on, Mr. Bose.

SJ. SUBODH KUMAR BOSE: I am only generalising. He meant there are some instances. He has misquoted the instances. That is not a correct statement of facts. The honourable member has forgotten all about the policy which underlies the Industrial Disputes Act. Under the Industrial Disputes Act any worker, or peasant, or anybody, is free to join any association, free to form into a trade union, and there is no bar to his forming into a trade union. Besides, Sir, even the right to strike has been recognised, and there are occasions when trade unionists freely resort to strikes and there the Industrial Disputes Act is there to uphold the liberties of these people.

Then, Sir, there has been criticism levelled against the rural township plan. The one criticism that I could remember was that how this plan is going to succeed because there will be lack of purchasing power on the part of the agriculturist. Sir, this plan is a very unique plan. In this plan the

rural economy and the township economy will have to be dovetailed with one another on a synthetic basis. In other words, the purchasing power of the rural people, of the agriculturists, will be enhanced by supplementary income apart from the income from the land. They will have certain vocational trainings.

(At this stage the member having reached his time limit resumed his seat.)

Mr. CHAIRMAN: Mr. P.-C. Sen.

Sj. PRAFULLA CHANDRA SEN: Mr. Chairman, Sir, the Hon'ble Chief Minister replied to the criticisms regarding the Education Department, the Medical Department, the Health Department and also the Home Department. I will confine myself to the criticisms against the Food and the Relief Departments. Sir, renegades use very strong language, but frustrated people use sometimes filthy language.

Sj. DEBENDRA NATH SEN: Will you repeat what you have said?

Sj. PRAFULLA CHANDRA SEN: I am repeating. Renegades use very strong language, but frustrated people use sometimes filthy language.

Sj. NIRMAL CHANDRA BHATTACHARYYA: Mr. P. C. Sen possibly means renegades.

Sj. PRAFULLA CHANDRA SEN: I am repeating again. Renegades use very strong language, but frustrated people sometimes use filthy language.

Sj. NIRMAL CHANDRA BHATTACHARYYA: Sir, does he refer to himself as a renegade?

Mr. CHAIRMAN: You proceed, Mr. Sen.

Sj. PRAFULLA CHANDRA SEN: I am not a renegade and I am not a frustrated man. I am not referring to myself, and as I was listening yesterday to my friend Sri Debendra Nath Sen, I thought he was giving expression to his frustration. Sir, statistics are quoted to prove certain things, statistics are used to enlighten us, statistics are also used sometimes to delude people.

Sj. DEBENDRA NATH SEN: As you did and do.

Sj. PRAFULLA CHANDRA SEN: Sj. Debendra Nath Sen thought he had successfully used the statistics to delude people. But, Sir, after Sri Debendra Nath Sen has spoken, Sri Debendranath Mukherjee spoke and he was not convinced by the arguments, by the facts and by the figures placed in this House by Sri Debendra Nath Sen. He quoted me regarding the shortage of food in this State. I should say he misquoted me. Here are the papers which he had used. He said that West Bengal is not a deficit country. I maintain West Bengal is deficit and I hope the honourable members of this House will not be deluded by the false statistics. Sir, if the honourable members refer to these papers—these are not secret papers, these papers were circulated to all the members of the Assembly and I hope also to the members of the Council—. Sir, in the year 1947 the production of cereals in West Bengal available for consumption after deducting requirements for seed and allowing for wastage was 32.4 lakh tons. In 1948 it was 31.7 lakh tons. But in 1949 due to unfavourable weather conditions it came down to 30.2 lakh tons. In 1950 it went up to 33.3 lakh tons and in 1951 I mean last year it was 36.4 lakh tons. This year it is only 32.3 lakh tons. Sir, the quantity of cereals available per capita in maunds per year in 1947 was 4 maunds; in 1948 3.85 maunds; in 1949 3.54 maunds; in 1950 3.68

maunds and in 1951 3.99 maunds or say 4 maunds and this year it is only 3.5 maunds. But my honourable friend Mr. Deben Sen tried to prove that it was 5 maunds per capita. (Sj. DEBENDRA NATH SEN: I still stand by it. Will you submit your figures to an impartial enquiry?) Yes, I will submit to any enquiry provided it is impartial.

[10-50—11 a.m.]

I would refer to another matter. Even if these statistics which Mr. Deben Sen misquoted or which he distorted or misrepresented, even if we forget these statistics, I will place before this House another point. In the pre-war years we used to import on an average 2.6 lakh tons of rice mostly from Burma and also imported 2.3 lakh tons of wheat. The major part of the wheat that we used to import then was consumed in West Bengal mostly in Calcutta and in the industrial areas and all the rice also that we used to import was consumed in West Bengal. Sir, after the war we lost the supply from Burma. Apart from the supply that we used to get from Burma West Bengal used to get a supply on an average of one lakh tons of rice from Orissa. That has also stopped. Sir, last year we got a supply of 554,000 tons of cereals from the Government of India of which only 32,000 tons was in rice and the rest, that is to say, 522,000 tons was in wheat or wheat products. You will realise, Sir, and the learned members of this House will realise that the Government of India or for the matter of that the Government of West Bengal did not import for nothing all this wheat. And I can tell this House, Sir, that all the wheat that we imported last year was consumed. Sir, even if we forget these statistics, even if we forget these figures, even if I do not wrangle with my honourable friend Mr. Deben Sen whether the requirement per capita is 15 ounces or 14 ounces the fact remains that during the pre-war days we used to import a huge quantity of cereals mostly in rice. Sir, after the partition the condition of West Bengal became worse. You know, Sir, about 25 lakhs of people have come from East Bengal. The per capita cultivable land in East Bengal at the time of partition was 1.7 bighas whereas the per capita cultivable land in West Bengal is only 1.4 bighas. Sir, the East Bengal people who have come here were all rice-eaters but they have also been compelled to eat wheat. Sir, the Grow More Food Campaign, I maintain, was a great success. If you please refer to these papers you will find that last year the West Bengal Government was responsible for an additional production of about 2 lakh tons of cereals. But, Sir, we cannot control natural calamities, and although we gained 2 lakh tons we lost more than 4 lakh tons. Sir, I will be the happiest person if there is decontrol. My friend Sri Deben Sen charged me with sabotaging the plans and scheme of the Hon'ble Mr. Rafi Ahmed Kidwai (Sj. DEBENDRA NATH SEN: Rightly). Wrongly as he is used to. He cannot say the right things or act rightly. Sir, I have with me a telegram from the Government of India, dated the 19th June, regarding the reduction of wheat prices. I will read the telegram with your permission. "Reference This Ministry letters of even number, dated 27th February and 19th May, 1952, regarding pool prices of imported foodgrains for 1952. It has since been decided to reduce the pool price of wheat to Rs. 18-8 and Milo to Rs. 11-8, both per maund. The date from which these reduced pool prices will take effect is under consideration and will be communicated. From the date of reduction in the price of Milo to Rs. 11-8 per maund special bonus of 8 annas per maund sanctioned in this Ministry letter of even number dated the 19th May, 1952."

Sir, this is not a secret telegram and as usual Mr. Deben Sen relied on hearsays and made the false accusation against me. (Sj. DEBENDRA NATH SEN: How could Bombay order a reduction in price?) Bombay did not order a reduction of price arising out of this proposed subsidy. Bombay was charging Rs. 23 or more per maund whereas here in West Bengal we have been charging only Rs. 21-14, I mean the retail price per maund of wheat. Bombay had charged more and they had reduced on their account

and effect has not yet been given by any of the other States. This telegram was not sent to West Bengal alone but is circulated to all the States, to all the recipient States.

Sir, Mr. Debendra Nath Sen made another false accusation against me. He said that I was responsible for a loss of 15 crores of rupees. (Sj. DEBENDRA NATH SEN: Quite so.) I think Mr. Deben Sen is very weak in arithmetic. In his school days and in his college days he was, I know, very good in English and in History also. He is a Trade Union leader since but he is very weak in mathematics. He is prone to make these mistakes. We procure from 4 to 4·7 lakh tons of rice by way of internal procurement the value of which will not exceed Rs. 15 crores. How is it that I was guilty of making the Government—making the State of West Bengal—incur a loss of Rs. 15 crores? Does he think we are all children here—that we don't understand things—that we don't understand arithmetic—we don't understand whether two and two make four?

[11—11-10 a.m.]

Sj. DEBENDRA NATH SEN: I mentioned, for two years.

Sj. PRAFULLA CHANDRA SEN: Let him even take a period of five years.

Ration is given at the usual scale of one seer of rice per capita per week and 1 seer 16 chittacks per capita per week of wheat or wheat products. Let him calculate and find out if what he says is true. Even during the course of two years how could I have been guilty of incurring a loss of 7½ crores a year.

Sj. DEBENDRA NATH SEN: I have given figures.

Sj. PRAFULLA CHANDRA SEN: Sir, he does not understand mathematics. Sir, since the last Ministry took over charge the percentages of wastage and losses have been reduced. These are from audited accounts. In the year ended 31st March, 1948, the percentage of loss due to handling, due to storage, due to dryage and other causes was 1·53; during the year ended 31st March, 1949, it came down to 1·14 per cent.; and during the year ended 31st March, 1950, it dwindled and came down to only 0·8 per cent.

Sj. DEBENDRA NATH SEN: How have you deducted 10 per cent. for wastage and seed? You have made those deductions.

Sj. PRAFULLA CHANDRA SEN: These are losses or shortages either in transit or in storage. This has nothing to do with the shortage or wastage or the requirement of seed.

Sj. DEBENDRA NATH SEN: What was the shortage of stock in 1949 and in 1950?

Sj. PRAFULLA CHANDRA SEN: Sir, I refuse to be interrupted by Sj. Debendra Nath Sen. While he was speaking I did not interrupt him. He must have the courtesy not to interrupt me as the time of the House is very short.

Sir, Sj. Annada Prosad Choudhuri made a very serious allegation against a bakery, the owner of which is Kanai. After listening to the honourable member Sj. Choudhuri I enquired into the matter and I have received the following radiogram from the Subdivisional Officer of Ghatal: "Kindly refer your radiogram of today". This is dated 23rd June, 1952 and received at 5 p.m. The radiogram was sent just after the session of this House. "I paid a surprise visit to the bakery of Kanai Lal Jana at Dudkumra Hat, Union No. 12, Daspur police-station, on 21st June accompanied by Secretary, Union Food Advisory Committee, and several other local people and found the bakery in existence. The local people also corroborated its existence. It had oven and other appliances for making bread. Allegation against the Subtroller (i.e., the Subdivisional Controller)

is false so far as supply of flour to a non-existent bakery is concerned. Regarding allegation of supply of butter, sweets, etc., to the Subtroller (i.e., the Subdivisional Controller) by the bakery, the matter is under enquiry by the Circle Officer and further reports will follow.

Sir, I will now come to the relief measures.

SJ. ANNADA PROSAD CHOUDHURI: On a point of information, Sir. I have not got any categorical reply to the letter which I mentioned as dated 18th May. This is an enquiry held after one month.

SJ. PRAFULLA CHANDRA SEN: I will look into the matter and if SJ. Choudhuri writes to me I think I will be able to give him a suitable reply.

I will now come to the various relief measures that have been taken in the district of 24-Parganas and other districts also—mainly 24-Parganas. I had calculated here up till now dry doles—free distribution of rice and atta—have been given to the value of Rs. 1,51,000. 6,000 maunds of broken rice has been given at three annas nine pies per seer. 270,000 maunds of atta and 270,000 maunds of rice are being sold in the distressed area, mainly in the severely distressed area, at Rs. 15 per maund. This will cost us Rs. 33,75,000.

SJ. DEBENDRA NATH SEN: Sir, is the honourable gentleman there (pointing towards the Government benches) in order in sleeping within this Council?

Mr. CHAIRMAN: This is no point of order.

SJ. PRAFULLA CHANDRA SEN: He is dozing; he is not sleeping.

For test relief works we have already spent about Rs. 3 lakhs in 24-Parganas. Ninety-eight test relief works have been sanctioned. Thirty-six works have been completed, and we expect to spend about Rs. 7,10,200 on these test relief works. Agricultural loan to the extent of Rs. 3 lakhs has already been distributed in the 24-Parganas. Cattle-purchase loan has been given, the amount being Rs. 3,70,000. In all it is Rs. 55 lakhs. Sir, relief measures have also been taken in the district of Nadia which has now a population of about 12 lakhs as against 7½ lakhs after the Partition and this is due to the influx of refugees. In Nadia gratuitous relief has been given amounting to Rs. 30,000; test relief works Rs. 1 lakh; agricultural loans Rs. 2,50,000; cattle purchase loan Rs. 1,70,000; in Bankura gratuitous relief Rs. 30,000; test relief works Rs. 50,000; agricultural loans Rs. 4 lakhs; land improvement loans Rs. 1 lakh; cattle purchase loans Rs. 93,000. Gratuitous relief Rs. 2,445, agricultural loan Rs. 82,500, loan to artisans Rs. 6,000, cattle purchase loan Rs. 1,90,000. In the district of Midnapore Rs. 1,15,000 has been sanctioned for distribution as agricultural loan, and cattle purchase loan amounting to Rs. 3,00,000 has also been sanctioned. In the Dinajpur district, we have made grants of gratuitous relief of Rs. 12,000, house building grant Rs. 10,000, agricultural loan Rs. 1,00,000 and cattle purchase loan Rs. 98,000. In the district of Malda agricultural loan Rs. 50,000, land improvement loan Rs. 50,000, loans to artisans Rs. 30,000, cattle purchase loan Rs. 55,000. In the district of Cooch Behar gratuitous relief Rs. 2,000, agricultural loan Rs. 3,00,000, land improvement loan Rs. 30,000, cattle purchase loan Rs. 45,000. In Jalpaiguri a sum of Rs. 54,000 has been sanctioned for distribution as cattle purchase loan. In Darjeeling a sum of Rs. 2,56,000 has been allotted for distribution as crop loan. In Murshidabad for gratuitous relief Rs. 7,500, test relief Rs. 22,435, agricultural loan Rs. 95,000, land improvement loan Rs. 33,000, cattle purchase loan Rs. 1,08,000. In Hooghly district gratuitous relief Rs. 1,000, house building grants Rs. 13,075, land improvement loan Rs. 32,250, cattle purchase loan Rs. 1,43,000. In the district of Howrah for cattle purchase loan an amount of Rs. 55,000 and for crop loan an amount of Rs. 2,36,800 has been sanctioned.

[11-10—11-20 a.m.]

SJ. K. P. CHATTOPADHYAY: May we have these statistics? Our memory is not so strong.

SJ. PRAFULLA CHANDRA SEN: If Prof. Chattopadhyay writes to me I will give him all the voluminous statistics that I possess.

Sir, some of the honourable members referred to the cottage industries and I think I should take a minute or two more in telling the house what we have done for the cottage industry. The honourable member Sri Annada Prosad Choudhuri is very much interested in cottage industry. Sir, for *gur* industry in which Sj. Annada Prosad Choudhuri is very much interested, we have now as many as 40 centres. Three hundred and fourteen persons have been trained. 4,794 trees are being tapped and the quantity of *gur* manufactured amounts to 906 maunds and the sale proceeds amount to Rs. 12,824.

SJ. DEBENDRA NATH SEN: Was there no loss?

SJ. PRAFULLA CHANDRA SEN: There was no loss. I cannot oblige Sj. Deben Sen by giving figures for losses. There is no sugar industry in this State. We have done something for bee keeping and for salt industry in the Contai subdivision and also for Khadi and as Mr. Annada Prosad Choudhuri knows the eminent Khadi worker Sj. Panchanan Bose, the Honorary Secretary, is doing very good work, although he has to work against very heavy odds. Sir, the last but one speaker said something about education. My friend Prof. Mohitosh Roy Choudhuri also said a good deal as he should have, being an eminent educationist, about education. I was looking into the figures, Sir. So far as primary education is concerned, in 1949 the education cess that we collected amounted to Rs. 36,59,000 and the amount contributed by Government from the State coffers amounted to Rs. 51,32,000. In the year 1949-50 Education cess that was collected amounted to Rs. 42,76,000 and the Government contributed Rs. 81,70,000. During 1950-51, we collected as education cess Rs. 43,61,000 and Government contribution amounted to Rs. 94,04,000.

SJ. DEBENDRA NATH SEN: All waste.

Dr. MONINDRA MOHAN CHAKRABARTY: What relation does it bear to the total budget?

SJ. PRAFULLA CHANDRA SEN: I can't tell you off hand but the percentage is increasing year by year. That much I can tell you. Grants to high schools have also been increased. During 1946-47, I mean during the League regime, grants to high schools amounted to Rs. 25,00,000. During 1950-51 this Government made a total grant amounting to Rs. 51 lakhs. The grants to M. E. Schools to which also my honourable friend Mr. Mohitosh Roy Choudhuri referred were as follows: In 1946-47 grants to M. E. Schools amounted to only Rs. 5 lakhs, but in 1950-51 this Government made grants aggregating to Rs. 16,50,000 more than 300 per cent.

Dr. MONINDRA MOHAN CHAKRABARTY: Is that sufficient?

SJ. PRAFULLA CHANDRA SEN: I do not know whether it is sufficient or not. What I want to say is this that the amount is increasing by leaps and bounds. So far as the college education goes in 1946-47 grants to non-Government colleges by the Government were only Rs. 2,77,000, in 1950-51 it was Rs. 9,76,000.

SJ. DEBENDRA NATH SEN: So you are better than the League Ministry.

SJ. PRAFULLA CHANDRA SEN: Not only better but 400/500 per cent. better. There is no denying the fact. Sir, as there is very little time I oppose all the amendments and commend to the house to accept the resolution moved by my friend Dr. Narendra Nath Bagchi.

Mr. CHAIRMAN: Honourable members of the House, the debate on the amendments to the address to be presented to His Excellency the Governor thanking him for his address is over, and the House will now proceed to vote on the amendments first.

The motion of Sj. K. P. Chattopadhyay that the following be added at the end of the address in reply, viz.:—

“But regret—

- (a) that nothing has been said about progress or otherwise of education or introduction of compulsory primary education;
- (b) that nothing has been said about improvement of the economic condition of tribal people;
- (c) that no measures have been taken for land reforms without which Irrigation projects and Rural Township plans cannot benefit the community.”

was then put and lost.

The motion of Sj. Monindra Mohan Chakrabarty that the following be added at the end of the address in reply, viz.:—

“But regret—

- (a) That His Excellency's Government has failed to implement the grow more food campaign properly in the matter of developing other sources of food supplies through indigenous methods;
- (b) that His Excellency's Government has failed to make adequate arrangement for the technical training of different categories of people to be absorbed in different industries as also for higher technical training in many of the applied sciences;
- (c) that His Excellency's Government has failed to develop rural electrification schemes in many of the adjoining districts of Calcutta;
- (d) that His Excellency's Government has failed to arrange for the proper reception and resettlement of the refugees from East Bengal who are pouring in large numbers;
- (e) that His Excellency's Government has not mentioned the important question of readjustment of the boundaries of the Bengali-speaking areas;
- (f) that His Excellency's Government has failed to arrange about the building of a bridge in Farrakka and to make any representation against the removal of Kanchrapara workshop in West Bengal.”

was then put and lost.

The motion of Sj. Debendra Nath Sen that the following be added at the end of the address in reply, viz.:—

“But regret that no reference has been made in the speech to the fundamental problems of abolition of zemindary system, bringing down of the price-level, reduction in the cost of administration, removal of the distress of the people in famine-affected areas and a permanent solution of the food problem within the State.”

was then put and lost.

[11-20—11-30 a.m.]

The motion of Sj. Nirmal Chandra Bhattacharyya that the following be added at the end of the address in reply, viz.:—

“But regret—

- (a) that the manner in which His Excellency's Council of Ministers has been formed is not likely to lead to an efficient administration of the State;

- (b) that no policy has been laid down for the repeal of repressive measures and the adequate safeguarding of the liberties of the people including the right of the peasants, workers and employees to freedom of association;
- (c) that no steps are proposed to be taken for the revision of the allocation of revenue by the Centre to the State of West Bengal;
- (d) that no new policy has been devised for the rapid improvement of the educational system of the State;
- (e) that no policy has been enunciated for the abolition of the zemindary system and the establishment of peasant proprietorship; and
- (f) that adequate measures have not been outlined for rural development and famine relief."

was then put and a division taken with the following result:—

AYES—9.

Abdul Halim, Janab.
Bhattacharyya, S. J. Nirmal Chandra.
Chakrabarty, Dr. Monindra Mohan.
Chattopadhyay, S. J. K. P.
Choudhuri, S. J. Annada Prasad.

Prosad, S. J. R. S.
Rai Choudhuri, S. J. Mohitosh.
Sanyal, S. J. Charu Chandra.
Sen, S. J. Debendra.

NOES—33.

Abdur Rashid, Janab Mirza.
Bagchi, S. J. Narendranath.
Bandopadhyaya, S. J. Tarakdas.
Banerjee, S. J. Bankim Chandra.
Banerjee, S. J. Tara Sankar.
Basu, S. J. Gurugobinda.
Bhattacharya, S. J. Bijan Behari.
Bose, S. J. Subodh Kumar.
Chakravorty, S. J. Hriday Bhusan.
Chatterjee, S. J. Devaprasad.
Das, S. J. Hare Krishna.
Das, S. J. Santil.
Deb, S. J. Narasingha Malla Ugal Sarda
Dutt, S. J. Labanya Prova.
Ghosh, S. J. Kamini Kumar.
Guha, S. J. Prafulla Kumar.
Guha Ray, Dr. Protap Chandra.

Kumar, S. J. Siba Prasad.
Mahanty, S. J. Charu Chandra.
Majumdar, S. J. Sudhirendra Nath.
Misra, S. J. Sachindra Nath.
Mookerjee, S. J. Kamala Charan.
Mookerjee, S. J. Kali Pada.
Muhammad Jan, Janab Shaikh.
Mukherjee, S. J. Kamada Kinkar.
Musharraf Hossain, Janab.
Pradhan, S. J. Lakhan
Roy, S. J. Chittaranjan.
Saraogi, S. J. Pannalal.
Sawoo, S. J. Sarat Chandra.
Sen, S. J. Prafulla Chandra.
Sinha, S. J. Kali Narayan.
Sinha, S. J. Rabindralal.

The ayes being 9 and the noes 33, the motion was lost.

The motion of S. J. Mohitosh Rai Choudhuri that the following be added at the end of the address in reply, viz :—

"But regret—

- (a) that no reference has been made to any plan or programme for the improvement and expansion of education in the State by (i) opening additional primary schools in every district over and above the existing ones, (ii) enhancement of the salary of primary and secondary school teachers through additional grant made to the District School Boards and Secondary Education Board, (iii) providing additional training facilities for the untrained teachers working in the existing schools, (iv) revising the syllabus and curriculum of studies introduced in the existing primary schools without providing them with adequate teaching appliances and properly trained teachers, (v) taking steps for the revision of the existing grant-in-aid rules for secondary schools, and (vi) by giving adequate grants to the colleges (non-Government) in the State; and

- (b) that no indication is made in the speech as to what the Government intend to do to provide employment for the young men who have been discharged by the abolition of certain parts of the Middle Class Unemployment Scheme."

was then put and lost.

The motion of Janab Abdul Halim that the following be added at the end of the address in reply, viz.:—

“But regret the omission in the speech of any mention of—

- (a) any attempt to abolish zemindary system;
- (b) any attempt to solve growing food crisis facing West Bengal today;
- (c) any attempt to make adequate arrangements to avert famine that is stalking West Bengal;
- (d) any adequate policy regarding relief and rehabilitation of refugee and displaced persons;
- (e) any adequate policy or plan to solve food crisis and famine permanently, and
- (f) Labour policy in West Bengal.”

was then put and lost.

The motion of Sj. Annada Prosad Choudhuri that the following be added at the end of the address in reply, viz.:—

“But regret—

- (a) that the administration, which is already top-heavy, is going to be still more so by the multiplication of various kinds of Ministers and Parliamentary Secretaries of two categories, viz., one class attached to the Chief Minister on a higher salary and the other class attached to common Ministers on a lower scale of salary and that in view of the reduction of area of the State after partition, there is no indication about the necessity being felt for effecting economies in administrative costs and for securing support and co-operation of the people for whom and by whom the Government is to be run;
- (b) that although the villages form the backbone of the country and 80 per cent. of our people live in villages, more attention has been paid towards urban developments than rural; and
- (c) that although controls have admittedly generated corruption in all spheres of life, there is no indication of policy for stamping out corruption or at least for decontrol of movement of cereals both inter and intra-district.”

was then put and lost.

The short-notice motion of Sj. Debendranath Mukherjee that the following be added at the end of the address in reply, viz.:—

“But regret that there is no reference in Your Excellency's speech to—

- (a) Educational Policy of West Bengal to get rid of the huge illiteracy of the people;
- (b) Constant raids on the Eastern Borders of West Bengal and the consequent insecurity of life and property of the people and the State;
- (c) the necessity of Farakka barrage and the bridge for the development of West Bengal, physically and economically;
- (d) the steps taken or to be taken for implementation of the food policy of the Hon'ble Food Minister of the Indian Union;
- (e) the reaction of Railway Regrouping on the trade and economic condition of West Bengal;
- (f) the introduction of Passport system by Eastern Pakistan and the policy that the West Bengal Government shall have to follow for the security of her people and protection of the trade and economic interest of Bengal;

- (g) corruption and nepotism in the administration and no suggestion to purge it off;
- (h) policy for rehabilitation of the refugees and compensation for the loss of properties left in Pakistan;
- (i) importance of Sunderbans as a vast land of agriculture open to raids by Pakistan and suggestions for its development and prospects."

was then put and lost.

[11-30—11-33 a.m.]

The motion of S_j. Narendranath Bagchi that—

"A respectful address in reply be presented to His Excellency the Governor as follows:—

'Your Excellency,

We, the members of the West Bengal Legislative Council, assembled in this Session, beg to offer our humble thanks to Your Excellency for the most excellent speech which Your Excellency has delivered to this House.' "

was put and agreed to.

Mr. CHAIRMAN: The House stands adjourned till 9-30 a.m. on Saturday, the 28th instant.

(A VOICE: The time is inconvenient for many of the members. Can it not be changed?)

Mr. CHAIRMAN: The Chief Minister will be going away to Delhi on that day after the meeting and so he has requested the House to consider this and to start the deliberations a little early at 9-30 a.m.

S_j. K. P. CHATTOPADHYAY: How long will the sitting be, Sir?

Mr. CHAIRMAN: Maximum one hour most probably.

Adjournment.

The Council was then adjourned at 11-33 a.m. till 9-30 a.m. on Saturday, the 28th June, 1952.

Members absent.

The following members were absent from the meeting held on 26th June, 1952:—

- (1) Bhattacharjee, S_j. Durga Kinkar.
- (2) Nahar, S_j. Bijoy Singh.
- (3) Roy, S_j. Surendra Kumar.
- (4) Sarkar, S_j. Pranabeswar.

WEST BENGAL LEGISLATIVE COUNCIL DEBATES

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Saturday, the 28th June, 1952, at 9-30 a.m., being the seventh day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9-30—9-40 a.m.]

Budget for 1952-53—statement by the Finance Minister.

Mr. CHAIRMAN: Honourable members of the House, the business before the House today is Annual Financial Statement for the year 1952-53—statement by Dr. Bidhan Chandra Roy.

Dr. BIDHAN CHANDRA ROY: Mr. Chairman, Sir, I deem it a great privilege to present the Budget Estimates for the year 1952-53 to the first Legislative Council constituted under our Republican Constitution.

These estimates were presented to the other House yesterday and in the statement which I made on that occasion I tried to explain in some detail the Revised Estimates of the last year as well as the Budget Estimates for the current year. Copies of that statement together with all the ancillary papers which were circulated to the other House on that occasion are being made available to the honourable members for their convenience. With that statement before them honourable members will, I am sure, expect me to confine my observations to the salient and broad features of the Estimates.

As the honourable members are aware, there are certain extraordinary features in the budgetary procedure that is being followed this year. The current year's Budget was due for presentation during the last financial year. The general election to the Lower House had by then been held but the election to this House was not complete before the close of the last financial year, and as the Legislature is not complete until this House of elders has been formed, it was not possible to constitute the new Legislature before the first week of June, 1952. The work of the Government had however to be carried on. The Budget for the year was therefore presented to the old Legislature, which, as the honourable members are aware, consisted of one House only. Sri N. R. Sarker in presenting the Budget in March last refrained from making any material observations on the Budget and the last Legislature also allowed without any general discussion a vote "on account" to enable the Government to be carried on for a period of about five months. This, as Sri Sarker had explained at the time, was in consonance with the constitutional practices prevailing under similar circumstances and also with the provisions of our own constitution. The general discussion of the Budget has under the circumstances been left over for the new Legislature. In this House of elders I am looking forward to a general discussion of a level and standard consistent with the dignity of the Upper House and the experience and wisdom of the elder statesmen assembled in this House. I can assure the House that I greatly value this opportunity of getting constructive suggestions from our elder statesmen sitting in this House.

Honourable members will notice that I have adhered to the Budget presented by Sri Nalini Ranjan Sarker in March last except on two points. I had to revise the estimates for relief operations in view of the distress which made its appearance after March last and is now prevailing in some districts of the State. I have made provision for the Community Development Projects for which there was no item in the Budget presented in March last as these have taken shape since then.

Though the year 1951-52 ended some time ago, the final accounts of the year are not yet available, hence the review of that year will have to proceed on the basis of the Revised Estimates. According to the Revised Estimates for that year our revenue receipts amount to Rs. 37,68,00,000 against which our revenue expenditure amounts to Rs. 40,08,00,000 resulting in a revenue deficit of Rs. 2,40,00,000. The deficit outside revenue account amounts to Rs. 2,34,00,000. Hence the overall deficit amounts to Rs. 4,74,00,000. This deficit will be met out of our balances. As a result of this our opening balance of Rs. 7,42,00,000 would be reduced to Rs. 2,68,00,000 and the current year therefore opens with this reduced balance.

During the current year our revenue receipts stand at Rs. 36,37,00,000 and the revenue expenditure at Rs. 42,04,00,000 resulting in a deficit of Rs. 5,67,00,000. The deficit outside revenue account is of the order of Rs. 75,00,000. The overall deficit would then be Rs. 6,42,00,000 which will be partly met out of the opening balances. There will be a negative closing balance of Rs. 3,74,00,000.

For the information of the honourable members I may state that our revenue receipts which in 1948-49 stood at Rs. 31,77,00,000 have now increased to Rs. 36,37,00,000, i.e., by Rs. 4,60,00,000.

Mr. CHAIRMAN: Honourable members will please take note that the Chief Minister is reading a note different from that which they have in their hands.

SJ. DEBENDRANATH MUKHERJEE: Sir, is it an altogether different speech?

Mr. CHAIRMAN: That was for the Lower House and this speech is for the Council, which has not been circulated.

Dr. BIDHAN CHANDRA ROY: This speech is a précis of the speech delivered yesterday in the Assembly.

The revenue expenditure which in that year was Rs. 29,10,00,000 has now increased to Rs. 42,14,00,000 in the current year. Thus while our revenue receipts have increased by Rs. 4,60,00,000 our level of revenue expenditure has gone up by Rs. 12,94,00,000 in the same year. In 1948-49 we had a revenue surplus of Rs. 2,67,00,000; hence the present gap between revenue receipts and revenue expenditure after wiping out the surplus of 1948-49 is of the order of Rs. 5,67,00,000.

In the year 1948-49 our net capital expenditure was practically nil. According to the budget estimates of the current year our capital expenditure is of the order of Rs. 23,68,00,000.

This increase in expenditure both on the revenue and capital side is a measure of our effort to develop the State with a view to improve the standard of living of the people and also to strengthen its administration. We have circulated to the honourable members a booklet entitled "West Bengal State Rupee—From Where It Comes and Where It Goes". It will appear therefrom that the increase in expenditure on roads and irrigation has been almost phenomenal. Our expenditure on Education and Public Health of West Bengal has exceeded the level of expenditure of undivided Bengal on these heads. I can claim that during the last four years more developmental work was done in this State than during any previous period of three or four times that length. The honourable members will notice that this increase of expenditure was financed without new taxation. We levied no new taxes during this period. We increased the rates of the motor vehicles tax, the amusement tax and the agricultural income-tax and State excise duties on some items.

[9-40—9-52 a.m.]

We strengthened our taxation administration and this gave us good results in the case of the sales tax. In undivided Bengal collection of sales tax in territories now in West Bengal amounted to a little over 2 crores only. Today our collection is about 5½ crores though the rate remains unchanged. We have relied considerably on deficit financing. In 1950-51 our actual deficit amounted to over three crores and according to the Revised Estimates the deficit in 1952-53 is of the order of 2 crores and 41 lakhs. On the capital side of the budget we are financing the Damodar Valley Project and the Mayurakshi Project out of loans received from the Government of India. Besides we raised an open market loan of one crore 75 lakhs during the last year to finance a part of the capital expenditure under Development Schemes. The rest of the capital expenditure of the Development Schemes is being financed from our own balances. Capital expenditure for rehabilitation of displaced persons is being met by loans from the Government of India and that for the Community Development Project is also expected to be met by loans from the Government of India. This Government has no public debt except Rs. one crore and 75 lakhs which was raised last year and it will please the House to know that the loan raised last year was fully subscribed within a few minutes of its opening. We have also provided for a loan of Rupees two crores to be raised during the current year. At present distress prevails in the district of 24-Parganas and in some other localities. Adequate measures are being taken to deal with the situation by the opening of test relief works, grant of gratuitous relief and distribution of agriculturist loans. The period between the end of transplantation season and the commencing of harvesting is a difficult period. The present season has proceeded well so far and we are expecting a bumper crop of the *aus* and *aman*. A good *aus* crop will bring great relief during a difficult period and a bumper *aman* crop will yield place to plenty, and our overhaul food situation is also likely to ease.

Honourable members are aware that the Finance Commission appointed by the President under article 280 of the Constitution to make recommendations on the allocation of the net proceeds of income-tax, on the fixation of grant-in-aid to be paid in lieu of a share in the net proceeds of the Jute Duty and on the principles determining grants-in-aid to the States in need of assistance recently visited this State. We submitted our case to the Commission. My colleagues, the official heads of the important departments and I appeared before the Commission and explained our case to them. The Commission is now touring other States and is expected to submit its recommendations to the President by November next. We anxiously hope that the Commission will be able to remove our difficulties. We were subjected to an invidious allocation of income-tax soon after Partition. The reduction of the allocation was made on the ground of the State being smaller in extent although only a few lakhs of income-tax were lost in East Bengal. A sum of about 3 crores of rupees was on that ground taken away out of our share and distributed to other States. If the Commission restores to us our share in the net proceeds of Jute Duty our deficits will disappear and we shall again go forward in our activities to relieve poverty, disease and ignorance. I do not think that in a House of elder statesmen with varied background and discerning intelligence I need go into further detail about the explanation of the budget papers that have been circulated. The Partition had given rise to problems of great magnitude and complexity both in the economic and social spheres and also in the sphere of law and order. At one time it looked as if there were nothing between us and complete disruption. With the co-operation of the people and with courage in both hands we have tackled these problems and I have a feeling that we have turned round the corner and yet a great and difficult task lies ahead of us. During the next five years we shall be on our trial and we shall be

called upon by constructive work to bring food and prosperity to the people who have suffered long. The fight for the freedom of the country began and ended with the Partition of Bengal. This entailed greater sufferings in this part of the country than in any other part. The Japanese War, the famine of 1943, the Great Calcutta Killing of 1946, the Partition and its aftermath are still fresh in the minds of everybody. The people have suffered long and are now seeing a ray of hope with the restoration of order and the execution of a number of Development Schemes during the last four years. During the next five years we shall be called upon to realise these hopes by bringing plenty and prosperity to the people. Let us all try for that end with the whole-hearted co-operation of the people. Let the wise counsel of this House guide us in the right direction. Let us justify, by our work, the confidence which the people of this State have reposed in us by sending us to the Legislature.

(LOUD CHEERS FROM THE GOVERNMENT BENCHES.)

Sj. DEBENDRANATH MUKHERJEE: On a point of Information, Sir. May we expect that the speech delivered just now by the Chief Minister placing the Budget before this House will be distributed to the members?

Mr. CHAIRMAN: My Secretary will see to it.

Sj. DEBENDRANATH MUKHERJEE: Another thing, Sir. I also drew your attention the other day that the List of Business is not circulated among the members in proper time. In the List of Business which is handed to us when we get into this House we find there is a notice "Members are requested to bring this List for their use at the meeting". It signifies that this List of Business is to be circulated among the members at least some time earlier than when the sitting is actually held, and we feel some inconvenience if it is not done. I would appeal to you, Sir, to see that this List of Business is circulated in proper time.

Mr. CHAIRMAN: Will the honourable members note that the List of Business meant for a particular day is to be circulated about half an hour before the meeting starts. This is the rule and they have to keep with them the List of Business for a particular day when some part of it stands over till the next meeting.

Message from the West Bengal Legislative Assembly.

Mr. CHAIRMAN: There are certain messages and the Secretary will read them.

SECRETARY to the COUNCIL (Sj. A. R. Mukherjee): Sir, the following message has been received from the West Bengal Legislative Assembly.

Message from the Assembly.

"The West Bengal Salaries and Allowances Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 27th June, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

(Sd.) S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly.

Calcutta, the 27th June, 1952."

Sir, I beg to lay on the table the West Bengal Salaries and Allowances Bill, 1952, as passed by the West Bengal Legislative Assembly on the 27th June, 1952.

Dr. BIDHAN CHANDRA ROY: Mr. Chairman, Sir, with your permission I beg to give notice that I propose to move that the West Bengal Salaries and Allowances Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration and passed at this session of the Council.

CHAIRMAN: The West Bengal Salaries and Allowances Bill, 1952, regarding which the messages were read just now, will be taken up for discussion on the 4th of July. Honourable members are therefore requested to send in their amendments by 11 a.m. on the 2nd of July.

Publication of the Proceedings.

Mr. CHAIRMAN: I have got to inform the honourable members about a particular point in connection with the publication of the proceedings. I should like to inform them that a new scheme for prompt publication of the proceedings is being put into operation from this session. Up till now typed transcripts of speeches were supplied only to the members who had taken part in the debates, for revision. Other members did not get the proceedings until they were finally printed or often after the lapse of a long time. Under the new scheme the debates of each day will be printed and circulated to all the members as unrevised proceedings. The honourable members who have delivered speeches will be required to return the proceedings after revision making any corrections that they might desire to make. I should however like to tell the members that no extensive correction or revision is permissible. Honourable members will kindly confine their revision only to errors or oversights in grammar and construction. I should also like to mention one fact for the consideration of the honourable members. It adds much to the difficulty of reporting and printing their speeches and causes delay if honourable members make extensive use of English words or sentences when making speeches in Bengali. I would request them to refrain from using English words as much as possible when delivering their speeches in Bengali.

Our object is to make the debates of any particular day available to the honourable members on the next day as is done in the English House of Commons. But with the equipment at our disposal, it would not be possible to do so at the present moment. Attempt will be made to circulate the debates on the third or the fourth day after the debate. This scheme has been introduced as an experimental measure, and if it is found useful to and popular with the honourable members, every attempt will be made to make it a success.

There is no other business before the House and the House is adjourned till 10 a.m. on 1st July, when the List of Business circulated will be taken up.

Adjournment.

The Council was then adjourned at 9-52 a.m. till 10 a.m. on Tuesday, the 1st July, 1952.

Members Absent.

The following members were absent from the meeting held on the 28th June, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Banerjee, Sj. Sunil Kumar.
- (3) Bhattacharjee, Sj. Durga Kinkar.
- (4) Misra, Sj. Sachindra Nath.
- * (5) Mookerjee, Sj. Kali Pada.
- (6) Nahar, Sj. Bijoy Singh.
- (7) Sarkar, Sj. Pranabeswar.
- (8) Sinha, Sj. Kali Narayan.

*Minister.

COUNCIL DEBATES

Tuesday, the 1st July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Tuesday, the 1st July, 1952, at 10 a.m. being the eighth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[10—10-10 a.m.]

BUDGET FOR 1952-53.

General Discussion.

Mr. Chairman: Honourable members, the business before the House is the General Discussion of the Budget. I will request Mr. Annada Prosad Choudhuri to inaugurate the discussion.

Sj. Debendra Nath Sen: On a point of information, Sir. During the debate on the Governor's Address the members on this side were first allowed to speak. We had the idea that only the Leader of the House will give the reply but subsequently we found that many members on that side also spoke and all of them got a right of reply. We would suggest that if the members on the Treasury Benches are willing to speak and take part in the discussion then they should come forward first. At least they should not be allowed to speak last.

Mr. Chairman: On the previous occasion, I may inform the honourable members, I had not received the list of speakers on the Government side, and if I receive the list of speakers on the Government side then I shall arrange that the speeches from both sides are made alternately, that is to say, one by the opposition side and the next one by the Government side, and if there are no speakers on the Government side then of course I shall go on allowing the opposite side to make their speeches.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir. With your permission I would suggest that after the debate is closed from the opposition side the Leader of the House should be given the opportunity to reply, that is to say, before the Leader of the House replies the Opposition should be given the opportunity of closing the debate for the opposition.

Mr. Chairman: That is the procedure.

Sj. Nirmal Chandra Bhattacharyya: Thank you.

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়! আমাদের সম্মুখে যে বাজেট উপস্থাপিত করা হয়েছে তাতে দেখান হয়েছে যে সাধারণ জমা খরচ থেকে ৫ কোটি ৬৭ লক্ষ টাকা ঘাটতি হয়েছে—এবং জমা খরচের বাহিরের হিসাব থেকে ৭৫ লক্ষ টাকা ঘাটতি—অর্থাৎ মোট প্রায় ৬ কোটি ৪২ লক্ষ টাকা বা মোটামুটি ৬৯ কোটি টাকা ঘাটতি। এই ঘাটতি বাজেট নিয়ে দেশের মধ্যে জনকল্যাণের কাজের জন্য অগ্রসর হওয়া সত্য সত্যই সাহসের কথা। কিন্তু আমাদের বিবেচনা করা দরকার যে—এই যে ঘাটতি ৬৯ কোটি টাকা দেখান হয়েছে সত্য সত্য এই ঘাটতি হবে কি না। আর যে উদ্দেশ্যে এই ঘাটতি বাজেট অবলম্বন করে কাজে এগিয়ে যাবার ব্যবস্থা করা হয়েছে তা সে কাজে লাগবে কি না। গত কয়েক বৎসরের হিসাব দেখলে বোঝা যায় যে এই ঘাটতি বৎসরের শেষে ঘাটতি না হয়ে উল্লেখ্য পরিণত হয়। তারপর বাজেটের অঙ্ক সম্বন্ধে দেখা যাক যে লাল বই দেওয়া হয়েছে তার তৃতীয় পৃষ্ঠা দেখলে বোঝা যাবে যে সেখানে যে অঙ্কগুলি আছে তা মোট আয়ের বিবরণ। তাতে ১৯৪৮-৪৯, ১৯৪৯-৫০, ১৯৫০-৫১ সালে যে প্রকার আয় হয়েছে তার অঙ্ক দেওয়া হয়েছে। সে অঙ্কগুলি তুলনা করলে দেখা যাবে ১৯৪৮-৪৯ সালে সব যোগ করে বাজেট “এন্টিমেন্ট”—এর সময় ধরা হয়েছিল ১০৪ কোটি টাকা আর “একচুয়েল”এর সময় সত্য সত্যই উহা পরিণত হয়—১২২ কোটি ৭৯ লক্ষ ৫৫ হাজার। অর্থাৎ যেখানে বাজেট আয় দেখান হয়েছিল “এন্টিমেন্ট”এর সময় ১০৪ কোটি সেটা বছরের শেষে গিয়ে দাঁড়াল ১২২ কোটি। ঠিক সেই রকম ১৯৫০-৫১ সালে যার পরে আর “একচুয়েল” অঙ্ক আমাদের কাছে এখনও দেওয়া হয় নি তাতেও দেখা যায় যে মোট আয় ১৫৯ কোটি ৮৪ লক্ষ ৯৬ হাজার টাকা “এন্টিমেন্ট” ধরা হয়েছিল কিন্তু ঐ আয় গিয়ে দাঁড়ায় ১৭০ কোটি ৩২ লক্ষ ০৫ হাজার; অর্থাৎ এই যে অঙ্ক দেখান হয় তাতে বাজেটে আয়ের অঙ্ক প্রথম “এন্টিমেন্ট”এ কম থাকে কিন্তু বৎসরের শেষে সেটা অনেক বেশী হয়ে ঘাটতি বাজেট আর থাকে না। বৎসরের পর বৎসর এই ভাবে পর্যালোচনা করলে দেখা যাবে বৎসরের শেষে ঘাটতি আর নাই, উল্লেখ্য পরিণত হয়েছে। এই জন্যই লোক অনেক সময় বলে যে বাবসাহী তাঁদের কর্মচারীদের বেতন বেশী না দেওয়ার জন্য যেমন লোকসান দেখান ঠিক সেই রকম যে সব বিষয়ে

[Sj. Annada Prosad Choudhuri]

বায় করার জন্য বাহিরে থেকে দাবী উঠতে পারে সেই দাবী যাতে প্রত্যাখ্যান করা যায় সে জন্য গভর্ণমেন্টের হিসাবও এই রকম ঘাটতি দেখান হয়।

আর একটা অঙ্কের কথা বলছি—এ বৎসরে ৬৮ কোটি টাকা ঘাটতি দেখান হয়েছে কিন্তু এই যে লাল বই আছে তাতে ঠিক বোঝা যাবে না, তবে আর একটা সাদা বই দেওয়া হয়েছে যাতে স্টেট ট্রেডিং এর হিসাব দশম পৃষ্ঠায় দেখা যাবে। এতদিন পর্যন্ত বাজেটে আমাদের দেখান হয়েছে যে ৬০।৭০ কোটি টাকার বাবসা ফুড ডিপার্টমেন্ট করেছে, তাতে একটা পয়সাও লাভ বা লোকসান হয় নি। একেবারে টায় টায় মিলে যায়। সেই ধারা বজায় রেখে আসা হয়েছে এই লাল বইয়ের মধ্যে। এই প্রশ্ন গত বৎসর উঠেছিল বলে দেখা যাচ্ছে যে সাদা বইতে ১৯৫০-৫১ সালে “এক্সপেন্ড” ৬৩ কোটি ৪৫ লক্ষ ৯২ হাজার টাকার জিনিস বিক্রী করা হয়েছে এবং তাতে ১ কোটি ৯ লক্ষ ৭০ হাজার টাকা লাভ হয়েছে দেখান আছে। এই লাভ গত বছরেও হবার কথা। এ বছরেও যে তা না হবে তার কথা নাই। কিন্তু বাজেটে সেই যে লাভ হতে পারে সে অঙ্কটা নাই। সেটা দুটো একটা টাকা নয়। ১৯৫০-৫১ সালে দেখান হয়েছে ১ কোটি ৯ লক্ষ টাকা। এ বছরের বাজেট “এক্সপেন্ড” এর লাল বইতে সে অঙ্ক নাই। ১৯৫২-৫৩ সালের বাজেটে জিনিস কেনা বেচা খাতে ফুড ডিপার্টমেন্টের ৭৮ কোটি টাকার কাজ ধরা হয়েছে, আর গত বছর ৬৩ কোটি টাকা বিক্রী হয়েছিল। তা হলে এ বছরও ১ কোটি ১৫-২০ লক্ষ টাকার বেশী লাভ হওয়ার কথা। তা হলে ঘাটতি কম যায়। তা ছাড়া আরও বড় বড় খরচের অঙ্ক আছে। অর্থ সচিব মহাশয় তাঁর বিবরণীতে বলেছেন যে যা বরাদ্দ করা হয়েছে—মেডিকেল, পার্বালিক হেলথ, ইরিগেশন, এগ্রিকালচার—এই সব বিষয়ে “সেভিং” করে ফেলেছেন। একথা তাঁর বাজেট বক্তৃতার মধ্যে আছে। তাই মানে টাকা বরাদ্দ কোবে কিছু ঘাটতি দেখান হয়েছিল—কিন্তু আমরা খরচ করতে পারি নি। “সেভিং” কথাটা আর কিছুই নয়। আমাদের দেশে আমরা আশ্বস্ত হই যে পড়েছি খাদ্যের জন্য—কিন্তু সরকার ১৯৪৮-৪৯ সালে কৃষির জন্য বরাদ্দ করেছিলেন ২ কোটি ৩১ লক্ষ টাকা আর খরচ করলেন ১ কোটি ২০ লক্ষ টাকা। তাতে মনে করার কারণ নাই যে খরচ কম হয়েছে; অফিসারদের খরচ কম হয় নি, কৃষির কাজ বা খাদ্য সমস্যা সমাধান হউক বা না হউক। নীল বইয়ের খরচের হিসাব মিলিয়ে দেখলে দেখা যাবে যে অফিসারের খরচ ঠিক আছে। কিন্তু অন্য খরচ করতে পারেন নি; ২ কোটি ৩১ লক্ষের জায়গায় মাত্র ১ কোটি ২০ লক্ষ খরচ করেছেন। আবার ১৯৪৯-৫০ সালে দেখছি ২ কোটি ৬০ লক্ষ বরাদ্দ কোবে—২ কোটি ৫ লক্ষ টাকা খরচ করেছেন। আবার ১৯৫০-৫১ সালে দেখি ২ কোটি ৬১ লক্ষ টাকা বরাদ্দ কোবে ১ কোটি ৮০ লক্ষ টাকা খরচ করেছেন। বাজেটের “ডেফিসিট” দেখতে গিয়ে এই সব লেখা অঙ্ক তুলে দেখলে মনে হয় যে বাজেটে যে “ডেফিসিট” দেখান হয় সেটা লোকের উপর আর একটা ট্যাক্স বসাবার উপায় করা। কেননা অফিসার বা অন্যান্য যে খরচ তা ঠিক আছে, কেবল কাজ করার সময় সরকার কাজ করতে পারেন না। খাদ্য ফলাবার আর একটা খুব জরুরী বিভাগ

“ইরিগেশন”। এই বিভাগে ১৯৪৮-৪৯ সালে বরাদ্দ হল ৭০ লক্ষ টাকা আর খরচ করলেন ৬২ লক্ষ টাকা। পরের বৎসর বরাদ্দ করলেন ৮৭ লক্ষ টাকা আর খরচ করলেন ৫২ লক্ষ টাকা। এই রকম আরও দেখাতে পারি—যে বরাদ্দ যা করেন খরচ তা করেন না, এবং আয় যা দেখান তার থেকে বেশী আয় হয়ে পড়ে। তার মানে আমরা কম কোরে যেন এন্টিমেট দেখাই যাতে লোকে কোন কারণে কিছু দাবী করলে বলা যায় টাকা নাই, কি করে খরচ করা যাবে?

Sj. Debendra Nath Sen:

পাকা ব্যবসাদার!

[10-10—10-20 a.m.]

Sj. Annada Prosad Choudhuri:

আর একটা কথা বলি। এটা ঘাটতি বাজেট কি না তা দেখালাম। এই ঘাটতি বাজেট দেখান—কেবল অঙ্কের মারপাচি মাত্র, কোন লোক কিছু চাইলে তার বিরুদ্ধে একটা উত্তর দেওয়ার সুযোগ মাত্র।

তা ছাড়া আর যে কাজ করতে চাই সে কাজও এই বাজেটের দ্বারা সাধিত হয় কি না তা বিচার করে দেখা দরকার। আমরা চাইছি যে খরচ বেশী হোক। কয়েক দিন আগে অর্থ মন্ত্রী মহাশয় বলেছিলেন যে আগের চেয়ে এখন আয় অনেক বেশী বেড়ে গেছে; অনেক কাজ করতে হবে, তাতে খরচ নিশ্চয় বাড়বে। মন্ত্রীর দল বাড়ান দরকার, কর্মচারী বাড়ান দরকার, —খরচ বাড়বেই। কিন্তু কাজ যাবা করবে তাদের বেশী সংখ্যক হচ্ছে নিম্নস্তরের বেতনভুক্ত কর্মচারী। এই কর্মচারীদের বেতন যদি ঠিকমত বাড়ান না হয়, তারা যদি কাজে উৎসাহ না পায় তা হলে উচ্চপদস্থ কর্মচারীদের বেতন যতই বাড়ান হোক বা না হোক ওদের যদি সন্তুষ্ট করতে না পাবা যায় তা হলে যে কার্য পরিচালনা করবার জন্য এই বাজেটে এত টাকা খরচ ধরা হয়েছে তাব কিছুই কাজে লাগবে না। সেই জন্য ১৯৪৭ সালের ১০ই ডিসেম্বর বিধানসভায় জনাব মহম্মদ খোদা বক্সের প্রশ্নের উত্তরে উদানীশ্বতন অর্থ মন্ত্রী বলেছিলেন—

“They will be given from the 1st of January, but not with retrospective effect.”

সেটা কাদের দেওয়া হবে? তখন বলা হয়েছিল—

“The whole case is being examined and the limit has been put at two stages—one is up to a salary of Rs. 300.”

অর্থাৎ যারা ৩০০ টাকা বা তার কম পান তাদের বাড়ান হবে। আর একটা প্রস্তাব হচ্ছে ৫০০, টাকা বা তার কম যারা পান তাদের বাড়ান হবে—

“The total cost of Government will be examined and the scale of pay is not going to be beyond Rs. 500 in any event.”

অর্থাৎ ৫০০, টাকার কম বেতন যারা পান তাদের বেতন বাড়ানর কথা বিবেচনা করা হচ্ছে। ১৯৪৮

সালে ২০ ফেব্রুয়ারী—তদানীন্তন অর্থ মন্ত্রী—শ্রীযুক্ত নলিনীরঞ্জন সরকার মহাশয় বলেছেন যে আমরা “পে কমিসন”এর “স্কেল” দিতে পারব না। তিনি বলেছিলেন—

“So following on the same policy so far we have provided for a core of rupees and we intend that we shall make provisions as far as we can with this amount in the lowest ranges of pay. As I have pointed out already our financial resources do not permit us to give full effect to the recommendations of the Central Pay Commission. We are, however, examining the scales of pay of the poor paid staff with a view to finding out to what extent we can increase the rates of pay and when our survey is complete I shall place a white paper on the table.”

“২০শে ফেব্রুয়ারী ১৯৪৮ সালে এই কথা বলা হল। তার দুবছর পরে এই এসেম্বলিতে বাজেট সম্বন্ধে আলোচনা করতে গিয়ে শ্রীযুক্ত চারুচন্দ্র ভান্ডারী ১০ই মার্চ বলেছেন যে—এই যে নতুন “বিভাইস্‌ড্ স্কেল” এয়েন তেলো মাথায় তেল দেওয়া। ১৯৫১ সালে “এক্সট্রা অর্ডিনারী গেজেট”এ বলা হয়েছে যে “স্কেল অফ্ পে” ধার্য করা হল। তা দেখলে বোকা যাবে যে প্রকৃতপক্ষে গরীব কম মাহিনার লোকদের বেশী না বাড়িয়ে বাড়ান হয়েছে বড় বড় অফিসারদের। “আপার ডিভিসন্ ডিস্ট্রিক্ট অফিস”এর “ক্লারিক্যাল স্টাফ”এর মাহিনা ছিল ১৪৪ টাকা। সে জায়গায় “বিভাইস্‌ড্ স্কেল”এ করা হয়েছে ১৩০ টাকা। মুখ্যমন্ত্রী মহাশয় যেন এটা দেখেন। আরও ২১৯টা উদাহরণের কথা বালি “হেড্ এসিস্ট্যান্ট”দের ছিল ২২০ টাকা, সেটা করা হয়েছে ২০০ টাকা। গরীব ডিস্ট্রিক্ট অফিসের “লোয়ার ডিভিসন ক্লার্ক”দের ছিল ৬০ টাকা সেটা করা হয়েছে ৫৫ টাকা, আর “লোয়ার ডিভিসন সেক্রেটারিয়েট” তাদের মাহিনা ছিল ৮৪ টাকা তাদের হয়েছে ৮০ টাকা।

Sj. Prafulla Chahndra Sen:

কত থেকে কত হয়েছে?

Sj. Annada Prosad Choudhuri:

সেখানে ৩০০ টাকা থেকে ১০০০ টাকা মাহিনা ছিল সেখানে করা হয়েছে ৩৫০ টাকা থেকে ১২০০ টাকা। এডুকেশনাল সার্ভিসেসএ ১৫০ থেকে ৭০০ টাকা ছিল সেটা করা হয়েছে ২৫০ টাকা থেকে ৭৫০ টাকা। “এসিস্টেণ্ট এঞ্জিনিয়ারিং” টোটা ৩০০—৭০০, কিন্তু সেটা করা হয়েছে ৩৫০—৮০০—১০০ই মার্চের “প্রোসিডিং” পড়লেই পাওয়া যাবে। তাতে দেখা যায় ৮০, ৬০, ৫০, যাদের মাহিনা তাদের কিছু কমে গেছে। আর বারি ৩০০ টাকা পান তাদের ৩৫০—১২০০, এবং যারা ১৫০ টাকা পান তাদের ২৫০—৭৫০ টাকা ইত্যাদি করা হয়েছে।

তারপর ঘাটতি বাজেটের কথা। যদি সত্য সত্যই সাহস কোরে দেশের মঙ্গলের জন্য “ডেভেলাপমেন্ট প্রোগ্রাম”কে কার্যে পরিণত করার জন্য ঘাটতি বাজেটের সম্মুখীন হতে হয় তাহলে দেশের কাজে যারা সত্যি সত্যি রূপ দেবেন, তাদের সংখ্যা সবচেয়ে বেশী সেই অল্প মাহিনার কর্মচারী তাদের প্রতি অবিচার করলে এবং কেবল উপরের কর্মচারীদের নিয়োগ করলে কাজ হবে না।

তারপরে “ইরিগেশন”এর কথা একটু আগে বলেছিলাম। সেই জন্য যত টাকা বাজেটে “এসিস্টেণ্ট” করা যায় তত টাকা খরচ করতে পারি না। তার জন্য কয়েকটা অশেকের সাহায্য তা দেখালাম। এর কয়েকটা কারণ পূর্বেও বলেছি আজও পুনরাবৃত্তি করি।

[10-20—10-30 a.m.]

আমাদের বৎসরের বাজেট সাধারণত ফেব্রুয়ারী মাসের মাঝামাঝি বিধানসভার সম্মুখে উপস্থাপিত করা হয়। সেই বাজেট পেশ হবার পর মার্চ মাসের শেষে বা এপ্রিল মাসে “ইরিগেশন”এর যে সব কাজ করার পনিকল্পনা গ্রহণ করা হয় তা ক্রমশঃ এক বিভাগ থেকে অন্য বিভাগে যেতে যেতে যারা কাজ করবে তাদের কাছে গিয়ে পৌঁছায় যখন প্রায় জুন মাস এসে গিয়েছে। তারপর তঁরা “টেন্ডার কল” কোরে কাজ আশ্রিত করার আগেই বর্ষাকাল এসে যায় এবং সে কাজ এগোয় না। তাবপর যখন বর্ষার পরে কাজ আশ্রিত করার কথা ভাবেন তখন তাদের কাছে আবার “বিভাইস্‌ড্ এসিস্টেণ্ট”এর কথা এসে পৌঁছায়। তাবপরে নতুন অংক করে দিতে দিতে তাদের কাজ এগোয় না। সেই জন্য আমার প্রস্তাব যে “ইরিগেশন ডিপার্টমেন্ট”এর বৎসর গণনা এপ্রিল মাস থেকে না কোরে যদি জুন বা জুলাই মাস থেকে করা হয় আব অফিসেস কাজকর্ম যদি বর্ষা সময় করা হয় এবং বর্ষার পরে যদি “ইরিগেশন”এর প্রধান কাজ মাটি কাটা কাজের সুযোগ পাওয়া যায় তাহলে তাহা পূর্বদমে কাজ করতে পারেন। একথা বলা হচ্ছে গত বৎসর ১১ই মার্চ তদানীন্তন মন্ত্রী শ্রীযুক্ত ভূপতি মজুমদার মহাশয় বলেছিলেন যে বন্দু অহাদাবালু একটা কথা বলেছেন যেটা সত্যই ভেবে দেখা দরকার। সে সম্বন্ধে গভর্নমেন্টের পক্ষ থেকে যদি কিছু করতে পারেন তার চেষ্টা করবেন বলেছিলেন। কিন্তু বাজেটের পর কাজ সুন্দর করতে করতে বর্ষা এসে যায়। অথচ বাজেটে ত এক এক বিভাগের জন্য এক এক রকম ব্যবস্থা হতে পারে না। তবে কোনরকম সূচীচিহ্নিত প্রণালী যদি অবলম্বন করা যায় তাহলে মাটির কাজ, খালের কাজ, রাস্তার কাজ চালানার সুবিধা হয়। বাজেট শেষ হবার পর যে অল্প সময় থাকে তাতে কাজ আরম্ভ করতে করতেই বর্ষা এসে যায়; কাজ আরম্ভ কোরে আবার নতুন কোরে “বিভাইস্‌ড্ বাজেট এসিস্টেণ্ট” করার দরকার হয় এবং তাতে কাজ সম্পূর্ণ করতে অসুবিধা হয়। এই মন্ত্রীমহাশয়ের উক্তি। তারপরে আর কিছু করা যায় নি। আমি গভর্নমেন্টের কাছে একটা প্রস্তাব সংশোধিত আকারে নিবেদন করতে চাই যে যদি বর্ষা গণনা এপ্রিল মাস থেকে জুলাই মাসে করা না যায় কারণ এটা সর্বভারতীয় ব্যাপার এবং অভিন্ন জেনারেলের অনুমতি

[Sj. Annada Prosad Choudhuri] ছাড়া হতে পারে না কিন্তু কাজের স্ফূর্তির জন্য একটা ব্যবস্থা সরকার করতে পারেন। কেরারী মাসের মাঝামাঝি বাজেট আইন সভায় উপস্থিত করা হয়, তখন আর গোপনীয়তা থাকে না; সেই সময় অন্ততঃ “ইরিগেশন” ডিপার্টমেন্টের যে সব পরিকল্পনা বাজেটে উল্লিখিত আছে সেগুলি যদি বিভিন্ন দপ্তরে জানিয়ে দেওয়া যায় এবং সংশ্লিষ্ট কর্মচারীরা যদি অবহিত হন এবং তারা যদি সেই পরিকল্পনাকে কাজে পরিণত করবার জন্য যা যা করা দরকার তা করতে থাকেন এবং বাজেট পাল হয়ে গেলে ৩১শে মার্চ বা ১লা এপ্রিল তাঁদের কাজ করার জন্য টেলিগ্রাম দেন তাহলে ২ মাস দেড় মাস কাজ এগিয়ে যেতে পারে। তার জন্য অনুরোধ করি যদি বর্ষ গণনা জুন জুলাই থেকে করা সম্ভব না হয় তাহলেও যদি ঐরূপ ব্যবস্থা করা হয় তবে ইরিগেশন ডিপার্টমেন্টের মাটির কাজ করবার যে অসুবিধা আছে সেটা দূর হতে পারে।

তারপরে আর একটা বড় সমস্যা হচ্ছে খাদ্য-সমস্যা। তার জন্য আমরা “গ্রো মোর ফুড ক্যাম্পেন” করি। কিন্তু এ কথা সর্ববাদিসম্মত যে কৃষক যে ফসল ফলায় সে যদি মনে উৎসাহ না পায়, সে যদি জমিতে মনোযোগ না করে এবং একটা বৈশ্বিক দৃষ্টিভঙ্গী নিয়ে তার সম্মুখে উপস্থিত হওয়া না যায় তাহলে এই যে “অধিক খাদ্য ফলাও” আন্দোলন, তা স্ফূর্তিরূপে কার্যে পরিণত হতে পারে না। তার জন্য আমি সরকারের দৃষ্টি আকর্ষণ কোরে বলতে চাই যে গত কয়েক বৎসরের হিসাব দেখলে দেখা যায় যে জমির খাজানা প্রত্যেক বৎসর গড়ে প্রায় ২ কোটি টাকা কোরে পাওয়া গেছে, কোন বৎসর ১৯০ লক্ষ, কোন বৎসর ২ কোটির কিছু বেশী হয় এবং মোটামুটি ঐ বিভাগের জন্য প্রায় ৫০ লক্ষ টাকা খরচ করতে হয়। জমিদারী প্রথার অবসানের কথা সর্ববাদিসম্মত। অন্যান্য রাজ্যেও তা হয়েছে। আজ আমাদের সরকার চান বা না চান পশ্চিম বাংলায় জমিদারী প্রথার উচ্ছেদ হবেই এবং তা করতেও হবে। জমির খাজানা এবং অন্যান্য ট্যাক্স নিয়ে সরকারের যে আয় হয় তাতে সরকার যদি জমির রাজস্বখাতের দু'কোটি টাকা বাদ দেন তাহলেও “আদার টেক্সেস” এন্ড “ডিউটিজ” ধরলে তাঁদের কোন ক্ষতি হবে না। বিশেষতঃ আজকাল সেল-ট্যাক্সের আয় বেড়েই চলেছে; তার উপর আবগারীর আয়, ঘোড়দৌড়ের আয় এবং ঐরূপ বহু ট্যাক্স বাবদ যা আয় হবে তাতে কৃষককে চাষের জমির খাজানা মকুব করলে কোন লোকসান হবে না। পঞ্চাশতরে তারা উৎসাহ পেয়ে আরও বেশী ফসল উৎপন্ন করার দিকে আগ্রহ হতে পারে। এ সম্বন্ধে সেলট্যাক্স সম্বন্ধে বিশেষ করে বলতে চাই যে সেল-ট্যাক্সের আয় বেড়েই চলেছে এবং যারা এখনও ফাঁকি দিচ্ছে তাঁদের সেটা বন্ধ করতে পারলে সেল-ট্যাক্সের হার না বাড়িয়েও জমির খাজানা মকুবের জন্য যে দেড় কোটি টাকা ক্ষতি হবে তা সহজেই পূরণ করা যাবে। এইভাবে কাজ করলে কৃষকদের মধ্যে বৈশ্বিক মনোভাব সৃষ্টি করা সম্ভব হবে। আজকে যদি সরকার ঐ সাড়ে ছয় কোটি টাকা খাটাইতে জন্য ভর না পান তাহলে ঐ লাল বইতে যে হিসাব দেখান হয় নি সেই খাবারের কারবারে

যে সওয়া কোটি টাকা লাভ হবার কথা সেই লাভটা যদি ধরা যায় তাহলে কৃষকদের মধ্যে এই মনোভাব সৃষ্টি করা শক্ত হবে না।

তারপর সরকারের মেডিকেল বিভাগ সম্বন্ধে। সেই হিসাবের আমি একটা বিবরণ বইতে দেখে আনন্দিত হয়েছি এবং আমি মনে করছি জনমতের চাপে হরত স্বাস্থ্য মন্ত্রীমহাশয় সেই জিনিষটা বাদ দিয়েছেন। সত্যি সত্যি সেই সমস্ত জিনিষ যদি শেষপর্যন্ত বাদ পড়ে তাহলে এখন থেকেই তাঁকে অভিনন্দন জানিয়ে রাখছি। তা হচ্ছে মেডিকেল কলেজের নতুন “সেট-আপ” সম্বন্ধে।

মেডিকেল কলেজের এই নতুন “সেট আপ” নিয়ে একটা আন্দোলন সৃষ্টি হয়েছে। এ বিষয়ে আমি ব্রিটিশ মেডিকেল জার্নালে অনেক প্রবন্ধ দেখেছি। মেডিকেল কলেজের “নিউ সেট আপ স্পেসিয়ালিটি” নিয়ে করলে “আন্ডার গ্রাজুয়েট মেডিক্যাল টিচিং”—এর প্রভুত ক্ষতি হবে এবং যে সমস্ত বিচক্ষণ লোককে “অনরারী ডিজিটিং সার্জন, ফিজিসিয়ন” ও “প্রফেসর” হিসেবে প্যাঁছ, তাঁদের পরিবর্তে হাজার দু'হাজার টাকা বেতনের কর্মচারী নিয়োগ করতে হবে।

এই মেডিকেল বিভাগের জন্য যদিও ৪০ লক্ষ টাকা বেশী ব্যয় বরাদ্দ করা হয়েছে, তা “রু. বকু”এর ৩৬১ পৃষ্ঠায় দেখুন, তবুও মেডিকেল কলেজের “প্রিন্সিপাল, প্রফেসরস” এন্ড এসিস্ট্যান্ট প্রফেসরস”-দের খরচ বাবদ বিশেষ কিছু বাড়ান হয় নাই। এই “নিউ সেট-আপ”এব ব্যাপারে যে সমস্ত বিবরণ সমালোচনা ডাক্তার ও চিকিৎসক মহলে হয়েছে, তা বোধ হয় সরকার মেনে নিয়েছেন। যাই হোক, তবু এখনও সে অংক বাজেটে ধরা হয় নাই দেখে আমি সত্যিই মনে মনে একটা স্পষ্টতর ভাব অনুভব করছি।

তারপর “ইরিগেশন” সম্বন্ধে দু'একটি কথা বলে আমি শেষ করবো। এখানে যে টাকা বরাদ্দ করা হয়, তাও খরচ করা হয় না। লাল বইয়ের ১৭২ পৃষ্ঠার ২৯নং রাণীচক-চন্দ্রকোণা বোড রাস্তা ৩৭ মাইল। এটা যখন প্রথমে গভর্নমেন্টের বিবেচনামণী ছিল, তখন রাণীচক থেকে ঘাটাল-চন্দ্রকোণা রোড ৩৭ মাইল রাস্তা মঞ্জুর করা হয়। তারপর কি হয়েছিল জানি না—এই ঘাটাল-রাণীচক অংশ রাস্তা বন্ধ জন্য “গেণ্ডার কল্” করে ইউও কাটানো হয়েছিল, পবে কেন তা বন্ধ হয়ে গিয়েছিল জানি না। আজ সেটা বাজেটে দেখে—এই রাণীচক-ঘাটাল-চন্দ্রকোণা বোড রাস্তাটা তালিকাভুক্ত করা হয়েছে দেখে আনন্দিত হিচ্ছি। এরজন্য এই বাজেটে এবার ৩ লক্ষ টাকা ধরা হয়েছে। যে বাস্তা তৈরী ৩।৪ বৎসর থেকে চালু হয়েছে, তা যাতে তাড়াতাড়ি শেষ হয়, আমি আশা করি, সরকার তারজন্য যথোচিত ব্যবস্থা অবলম্বন করবেন।

তারপর “ডেভেলাপমেন্ট প্রোগ্রাম” সম্বন্ধে কিছু বলবো। এই “ডেভেলাপমেন্ট প্রোগ্রাম”এর মধ্যে হরিণঘাটা পরিকল্পনা একটা। এই হরিণঘাটা পরিকল্পনা ১৯৪৫ সাল থেকে চলে আসছে। আমি দেখতে গিয়েছিলাম। যে মন্ত্রীমহাশয় “ডেভেলাপমেন্ট প্রোগ্রাম”এর জন্য দায়ী, আমি তাঁকে বলি যে গেটের কাছে গেলে আমাদের দেশের যে জনসমাজ সাধারণ কৃষক ও পল্লীবাসী তারা প্রথমতঃ ভয়ে ঢুকতেই সাহস পাবে না—এমন ধরণে এর বাড়ীঘর তৈরী। যিনি এর পরিচালক তিনি আমাকে সবকিছু ঘুরিয়ে দেখালেন। আসবার সময় তাঁকে বলে এলাম—যে

কথা আমার মনে উঠেছিল, যে যারা আমার দেশের শতকরা ৮০ ভাগ, তারা কি এইরকম সিমেন্ট করা গোলদালার গরু রাখতে পারবে, যেখানে সেই গোবর "ওভার হেড ট্রলি" করে তুলে নিয়ে পরিষ্কার করা হচ্ছে? এ কি আমাদের দেশের পক্ষে সম্ভব? মুরগীর জন্য পাকা ঘরের ব্যবস্থা। মুরগীর খাবারের সাথে শূটকী মাছ মিশিয়ে দেওয়া হয়। বারা সাধারণতঃ মুরগী পুষেবে তারা যে এর ম্বারা তাদের "আর্থিক অবস্থা" উন্নতি করবে—এটা কম্পনা করতে পারা যায় না। পরিচালক মহাশয়কে আমার কথা বলে এসেছিলাম এবং আজও এখানে তাই বালি। হরিণঘাটার এই আড়াই হাজার একর জমির এক কোণে ২৫।৩০ বিঘা জমি নিয়ে মাটির ঘর করে মাটির গোয়ালে রেখে যদি দুধ বেশী করা যায়, কি কবে মুরগীজাতির উন্নতি করা যায়, কি করে বেশী ডিম উৎপন্ন করা যায়—তা যদি দেখাতে পারেন এবং তা নিয়ে যদি বাইরের লোকের সঙ্গে যোগাযোগ রাখতে পারেন, তবেই এই হরিণঘাটা পরিকল্পনা, এই "ডেভেলপমেন্ট প্রোগ্রাম" সফল হবে।

[10:30—10:40 a.m.]

তারপর "কো-অপারেটিভ" এর কথা। এ সম্বন্ধে আমি মাত্র একটি ঘটনার কথা উল্লেখ করবো যদিও আরও অনেক ঘটনার কথা বলতে পারি। আমার মহকুমা ঘাটালে "পিপলস্ কো-অপারেটিভ ব্যাংক" আছে, তাতে এইবার নিয়ে চতুর্থবার "ডিফলকেশন" হয়েছে। প্রথমবার ১ লক্ষ ৮২ হাজার টাকার "ডিফলকেশন" হয়। কিন্তু "সেক্রেটারী" আত্মহত্যা করে নিজেও বাচিলেন অন্য সকলকেও বাচালেন। তারপর কাপড় ও চিনি ব্যবসা নিয়ে দু'বার দু'টি "ডিফলকেশন" হয়েছিল। সে টাকা অবশ্য শেষ পর্যন্ত আদায় হয়েছিল কিন্তু কোন মামলা করা হ'ল না, চাপা দেওয়া হ'ল। এইবার আব একটি মামলা চলছে ২২ হাজার টাকার "ডিফলকেশন"। গত দু'বৎসরের হিসাব বিভাগীয় অডিটর তদন্ত করছেন। তদন্ত করে তিনি বলছেন চেয়ারম্যান ও সেক্রেটারীর কাটা "সেলফ চেক" ভাঙিয়ে নিয়েছেন, কাসিস্যাব নিজে এক হাজার টাকা ও কাসিস্যারের শব্দে ১৬ শত টাকা ভাঙিয়ে নিয়েছেন। সেক্রেটারীর ক্যাশ বইয়ে তা লেখা নাই। "লোন এগেন্টি মার্চেনডাইজ" লেখা হয়েছিল। কিন্তু মার্চেনডাইজ ছিল না। অডিটর যে রিপোর্ট দিয়েছেন তার দু'বছরের দু'টো রিপোর্ট আমার কাছে আছে। সেই ব্যাংকের বাড়ীতেই "কো-অপারেটিভ" বিভাগের "ইনস্পেক্টর" থাকেন। শুধু সেই বাড়ীর ব্যাংকটিন, তাব বাড়ীর চারিদিকে সারা মহকুমার যে সমস্ত "কো-অপারেটিভ" ব্যাংক আছে তার অবস্থা সম্বন্ধেও তার তদারক করার কথা। শুধু তিনি নন, তাঁর সঙ্গে এসিস্টেন্ট বোজম্যান প্রভৃতিও পরিদর্শন করে এই কথা বলেছেন কিন্তু কোন প্রতিকার হয় নাই। একজন ডিরেক্টর মিটিংএর একটা প্রস্তাব নোটিশ দিয়েছেন। তারমধ্যে অনেক কথা লেখা আছে। তারমধ্যে দু'একটা এইঃ—

"Who is responsible for non-introduction of the internal audit although three members were appointed for the purpose in the general meeting held on 18th April, 1948? Who advanced big loans without previous sanction of the

department? How is it that although the Secretary of the Bank has been given immense power to control staff and office under by-law 52 of the Bank is not found to have exercised his authority in proper way?"

এইসব কথা বলছেন কে? এই "ইনস্পেক্টর", যিনি সেই বাড়ীতে বাস করেন। আরও বারা অডিটর সেখানে গিয়েছেন। দু'বছরের অডিট রিপোর্ট—

"On the audit of Ghatol People's Co-operative Bank, Ltd., for the year 1949-50."

আর একটা

"Audit Report of the Ghatol People's Co-operative Bank, Ltd. for the year 1950-51."

আমার কাছে আছে। এইভাবে কাজ চলে আসছে। আমি বোধ হয় ৫।৬ মাস আগে মাননীয় বিভাগীয় মন্ত্রী মহাশয়ের সঙ্গে এই ব্যাংকের কয়েকজন সদস্যের দেখা করিয়ে দিয়েছিলাম। "ডিফলকেশন" মামলা এখনো চলছে। ডিরেক্টরের নোটিশ দেওয়া সত্ত্বেও কোন মিটিং হচ্ছে না। দু'টি মিটিং কোরামের অভাবে হয় নি। জানি না ডিরেক্টর মিটিং করবেন কি না। তাই আমি এবিষয়ে সরকারের দৃষ্টি আকর্ষণ করতে চাই। এই রকমভাবে যদি কো-অপারেটিভ ব্যাংক চলে তাহলে "কো-অপারেটিভ কমন্ওয়েলথ" প্রতিষ্ঠা করার কত দূরে আমরা।

আর একটা কথা বলেই আমার বক্তব্য শেষ করবো। আমাদের "কটেজ ইনভান্ট্রি"র জন্য একজন মন্ত্রী আছেন এবং তারজন্য টাকাও খরচ করছেন। একথা আমি আগেও তুলেছিলাম। আমি মন্ত্রী মহাশয়কে বলাচি কত হাজার মণ তালগুড় করছি কিনা তা আমাদের প্রতিপাল্য বিষয় নয়। পল্লীশিল্পকে বিচাবার সরকারী আন্তরিকতা ও আগ্রহ যদি থাকতো তাহলে এর চাইতে দশগুন গুড় বেশী হ'ত। এজন্য সরকারকে একটা সুস্পষ্ট নীতি ঘোষণা করতে বলি। তারা কি চান, একদিকে তাঁরা চরকা চালাবেন, আর অন্যদিকে সেখানে তাঁরা মিলের কাপড় এনে সেবেন? তারা কি চান ৫ লাখ টাকা খরচ করে "সেরিকালচার" করবেন, রেশম উৎপাদন করবেন, আর অন্যদিক থেকে সস্তা জাপানী রেশম এনে বাজার ছেলে ফেলবেন? একদিকে তাঁরা দেশী তেলের ঘানি চালাবেন, আর অন্যদিকে তারা "ইলেকট্রিক" ঘানির "লাইসেন্স" দিবেন? তারা কি চান একদিকে ঢেঁকিতে ধান ভাঙ্গাবার উৎসাহ দিবেন, আর অন্যদিকে তারই পাশাপাশি "প্যাভি হান্ডিক্রেসিস" এর লাইসেন্স দিয়ে অনুগতদের সঙ্কট রাখবেন? এই কুটিলশিল্প সম্বন্ধে সরকারের নীতিগত ঘোষণা তাঁদের কাছ থেকে জানতে চাই—পল্লীশিল্প সম্বন্ধে তাদের উদ্দেশ্য কি, তারা সত্যিই আন্তরিক কি না? পল্লীশিল্প যেখানে যেখানে বড় শিল্পের ম্বারা আঘাত পায়, সেখানে তাকে বিচাবার জন্য সরকার এগিয়ে যাবেন কি না।

আরও অনেক কথা বলতে পারতাম। আর সময় নিতে চাই না। এইসব বিষয়ে যেসমস্ত প্রকৃত কার্যকরী ব্যবস্থার উল্লেখ করছি আশা করি

[Sj. Annada Prosad Choudhuri] এগুনী এই বাজেটের মধ্যে না থাকলেও সরকার এবিষয়ে অবহিত হবেন। তাহলে তাদের “ওয়েল-ফেয়ার স্টেট” সার্থক হবে, তাহলে তারা জন-সাধারণের আশীর্বাদ পাবেন এবং ঘাটতি বাজেট নিয়ে চললেও ঘাটতি বাজেটে শেষ পর্যন্ত কোন চিন্তার কারণ থাকবে না; বছর শেষে এই ঘাটতি বাজেট উদ্ভূত বাজেটে পরিণত হবে।

[10-40—10-50 a.m.]

Dr. Bidhan Chandra Roy: May I ask the honourable member who spoke just now if he would give me a note regarding the Co-operative Society about which he spoke just now?

Sj. Annada Prosad Choudhuri: I can give the Chief Minister the Audit Report of that Society.

Dr. Bidhan Chandra Roy: Give me some papers; I want to find it out.

Sj. Charu Chandra Sanyal: Honourable President, Sir, at the very outset I want to accord my sincere good wishes to Dr. B. C. Roy, Chief Minister of West Bengal, an eminent physician and a scientist on his attaining the age of 72—

Dr. Bidhan Chandra Roy: I am not yet 72, that is a mistake. I have only completed 70.

Sj. Charu Chandra Sanyal: May he live long with good health and energies and build up a true welfare State in West Bengal and I hope the House will agree with me in this. (LOUD APPLAUSE FROM THE GOVERNMENT BENCHES.)

Now I come to the discussion of today, of the budget. It is difficult to discuss the entire budget within a space of a few minutes. On a perusal of the books of estimates one is lost in the labyrinth of figures. I shall therefore confine myself within a few items with a view to assist the Government with the little knowledge I have about them.

At the very outset I congratulate the Chief Minister for his excellent introductory speech. He was sorry for the deficit of nearly six crores of rupees in the budget for 1952-53.

He hoped to reduce it or wipe it out from the extra money he expected out of West Bengal's share of Income-tax and Jute tax. This is an ancient fight with the Centre. We would congratulate him most heartily if his gallant fight before the Fiscal Commission bears some fruit.

The Chief Minister informed the House that the revenue of the State had been raised to 36 crores and 37 lakhs. He mentioned the increase of motor vehicles tax. The tax on a 20-seater bus has been raised from Rs. 150 to Rs. 1,050. The tax on a 3-ton public carrier has been raised from Rs. 125 to Rs. 500. I am subject to correction as to the exactness of the figures. This is a big jump no doubt. The Report of the Motor Vehicles Enquiry Committee published in December 1950 recommended a ceiling increase of the tax. The Government of West Bengal went up to the ceiling in one jump without caring for the road condition of West Bengal where breaking of springs and bursting of tyres are almost an every-day occurrence. The cost of a pair of bus springs is near about Rs. 400 and a pair of tyres costs Rs. 1,200 for the buses and lorries. This has been a great strain on bus or lorry owners working outside Calcutta. It would be interesting to note that the revenue from motor vehicles tax and petrol sales tax was about Rs. 180 lakhs in undivided Bengal immediately before Partition and the money spent on development of roads was only Rs. 80 lakhs whereas Madras spent Rs. 160 lakhs out of motor vehicles income of Rs. 146 lakhs, Bombay spent Rs. 164 lakhs out of an income of Rs. 113 lakhs from motor vehicles tax, U.P. spent Rs. 227 lakhs with an income of only Rs. 35 lakhs from motor vehicles tax. Thus the roads of other Provinces developed at the expense of Bengal because the money came from out of the Central pool then. The estimated income in 1952-53 from motor vehicles taxation and sales tax on petrol comes to about two crores of rupees. Three crores of rupees have been

earmarked for new road development. According to the Motor Vehicles Taxation Enquiry Committee a motor vehicle placed on a good and efficient road represents a revenue of more than Rs. 1,000 to the public exchequer. I would be happy if development of roads proceeds at great strides. In this connection a report from Mr. C. W. Spencer, Chairman of the Madras Branch of Indian Roads and Transport Development, would be of great assistance to us. It was published in May, 1952. Speaking about the roads of Madras he said that in 1950-51 out of a total expenditure of 9½ crores of rupees for roads, 3 crores 92½ lakhs was spent on maintenance alone; the expenditure during 1951-52 as assessed by the Highways Department was Rs. 6½ crores of which Rs. 4 crores 14 lakhs were on maintenance alone. I would request the Government of West Bengal to make the new roads in such a way that the maintenance cost does not become so ridiculous as in Madras.

[10-50—11 a.m.]

While advocating construction of good roads and not opposing the enormous increase of motor vehicles tax I would suggest some development of roads in the district of Jalpaiguri where the main business is transport of 3 Ts, tea, timber and tobacco. The Alipur Duar-Patla-khawa Road is included in the Road Programme. I would suggest one bridge over the river Kaljani near Alipur Duar and one over Siltora on the Assam access road and development of 50 miles of road, one from Alipur Duar to Jajgaon right up to Bhutan boundary and Falakata-Hantapara Road. Last year more than 35,000 maunds of food had to be transported from Siliguri to places more than 150 miles away over these roads to feed the labourers. During the rain the food could not be transported in due time on account of floods in the said rivers and ruts on these bad roads causing labour troubles in many tea estates. The extraction of timber was delayed causing much loss both to the Government and the public.

The cost of transport was also extremely prohibitive. The districts of Jalpaiguri and Darjeeling paid the highest motor revenue to West Bengal excluding Calcutta. The motor owners would not grudge the heavy tax provided they could carry on the trade for twelve months a year. The matter was fully explained to the Chief Minister last year and he agreed to look into the matter. I simply remind him of the discussion.

Now I take the Development Scheme under the head "Land Revenue", page 5 (white book). The name of the scheme is "Abolition of Zamindary System". The provisions are required in connection with the revisional settlement in respect of police-stations Bongaon and Gaighata in the district of 24-Parganas which was taken up in the year 1950-51. The budget provision under revised estimate for 1951-52 was Rs. 1 lakh. The budget estimate for 1952-53 is Rs. 6,000. It is difficult to understand what is actually meant. Abolition of zamindary is an urgent matter. We hope the Government should make the process quicker. The report of the Flood Commission is of assistance in this matter and the U.P. Zamindary abolition seems to be a more simple process.

Then I come to Excise. Rs. 2 lakhs for introduction of prohibition, page 5 (white book) Rs. 2 lakhs—provides for working of district and thana committees, employment of additional excise staff for Dinajpur and Malda on experimental basis. That is a very good move no doubt. Rs. 2 lakhs have been set apart for propaganda, for prohibition in the districts of Malda and West Dinajpur. We would like that the money is well spent. Let not the establishment alone eat away a big slice of it. I would suggest that five districts of North Bengal be taken up at a time and Rs. 5 lakhs be set apart for this purpose. The tea and forest labourers in the three districts of Darjeeling, Jalpaiguri and Cooch Behar have income much more than the average cultivators. If some parts of their

[Sj. Charu Chandra Sanyal]- income can be diverted to the purchase of consumer goods instead of alcohol, the fall of excise revenue will be compensated by the rise of income in the sales tax. Purchase of goods worth Rs. 21 brings Re. 1 to the Government as sales tax. So if one lakh of men can be induced to purchase goods worth Rs. 5 only per month, then at the end of the year the sales tax received by the Government goes up to Rs. 3 lakhs. A continuous propaganda of the audio-visual type, that is, by means of cinema, etc., for some years may produce some results. Forcing prohibition by legislation is likely to fail as it has failed in many places.

Then, I come to Forests. I hope to be excused if I go into some details regarding forests, page 6 (white book), because I have some experience in the matter and I want to put it up before the Government if it be of any help. Under the head "Development Programme" they have got "Afforestation of Government waste lands by State Agency"—estimated expenditure Rs. 7 lakhs. From the description of the work to be done it appears that 5,800 acres of forest land are to be looked after properly, and so the expenditure is Rs. 7 lakhs. But my experience for the last twelve years in forest cultivation—I am not an expert in the line—leads me to think otherwise. The expense seems to be too much. I give you some idea. Of the 300 acres of forest I have under my supervision, I have 1 Forester drawing a salary of Rs. 150 per month, 1 Guard at Rs. 50 per month and 10 workers paid at the rate of Rs. 2 per day working 6 days a week—they get Rs. 5,000 per year and miscellaneous expenditure Rs. 2,600. The total cost comes to Rs. 10,000 per year for 300 acres of forest. On this basis the cost of maintenance of 2,800 acres of forest comes to Rs. 1 lakh—that is, 10 officers, 10 guards and 100 labourers. The present Forest Department does not keep so many men for only $4\frac{1}{2}$ square miles of forests. 640 acres make one square mile. To this I

am ready to add Rs. 1 lakh more for other expenses, unforeseen miscellaneous expenses. Hence instead of Rs. 7 lakhs the maximum cost comes to Rs. 2 lakhs only. The overhead charges of Rs. 22 lakhs under establishment is under the General Budget. This excessive expenditure requires more careful scrutiny. It should be gone into more carefully to see what it is.

Then, I come to item No. 2—"Conservation of private forests and afforestation of private waste lands"—Rs. 4 lakhs for maintenance of 1,196 acres of forest and plantation of 2,656 acres. Under this item the cost for planting of 2,656 acres or nearly 4 square miles and maintenance of 1,196 acres or nearly 2 square miles of forest is estimated at Rs. 4 lakhs. The main cost of forest plantation is fencing and jungle-cutting for three years. The cost of five rows of barbed wire fencing at the present market rate comes to Rs. 2-8 per yard. The cost of one square mile is Rs. 18,000. The cost of poles placed five feet apart is $8,000 \times \text{Rs. } 2$, that is, Rs. 16,000. In the forest the poles are received free. Labour cost Rs. 4,000. Miscellaneous Rs. 4,000. The cost of fencing per square mile comes to Rs. 40,000. Cost of fencing 4 square miles is Rs. 1,60,000 at the most lavish scale. The cost of maintenance of 6 square miles of forest comes to Rs. 1 lakh for one year. Hence the maximum cost comes to Rs. 2½ lakhs.

[11—11-10 a.m.]

Instead of 4 lakhs, 2½ lakhs would be the most lavish scale of expenditure. This requires more careful scrutiny. We do not want wastage of money. What we want is proper use of the money.

Then about other new schemes—forest villagers. Forest villagers are employed in plantation and other forest work. Suitable housing accommodation together with water-supply arrangement and essential sanitary amenities are required to keep the forest labour contented. Otherwise they are attracted to neighbouring tea

gardens which provide these amenities. The Nawab Sahib is the owner of many tea estates and he can say what is the actual position, whether or not forest labourers are smuggling into the tea estates. I would request the Government to settle the East Bengal refugee families as forest villagers. It would be difficult at the outset to adapt themselves to new ways of life. But a serious attempt should be made by giving subsidies if necessary. There is scope to settle about 10,000 families in 4,000 sq. miles of forests in West Bengal. As a Member of Forest Advisory Committee to the Government of West Bengal my scheme is waiting in the Forest Ministry for nearly one year. This must be excavated. As regards forest roads, in place of Rs. 52,700 provided for the purpose I would plead for more money because good roads in a forest is an asset.

Then about the question of creation of a national park. This was engaging the attention of the Government of India. My detailed plan for such a park is being examined in the Forest Ministry for nearly one year. I hope the Government may re-examine the scheme. Creation of a national park is a great welfare work. The details of the Forest Department have been introduced just as a sample so that other items may be scrutinised more carefully.

Then about Education on page 12 (white book). Of course I shall confine myself to a very small portion of it but what struck me most is this. There is an item "film library" which has been recently set up at the headquarters and has been arranging exhibition of educational films in adult education centres and educational institutions. This is a very useful department and it is a great step forward I should say. Kodak and Agfa had such libraries before the war and I happened to be a member of the library. We want to be supplied with detailed information of such a useful project. Hope to get it at the time of reply. Details would be very interesting to us.

Under the head "Development Programme"—it is also under "Education"—I would plead for Rs. 2 lakhs for construction of a science block to A. C. College, Jalpaiguri, for starting B.Sc. classes. I think there was some discussion about this with the Chief Minister. I would like to remind him of this so that he may not forget the position of A. C. College, Jalpaiguri.

Then comes Medical. There is an item on page 21, under "Medical—Improvement of pharmacy and pharmacy training". It provides for Rs. 50,000 to Rs. 60,000 for maintenance of the training centre already opened at Jalpaiguri where pharmacy training is given for a course of 2 years and 3 months. 84 students have so far joined for undergoing training at the centre. For want of residential accommodation the number of students though selected have not been able to join. With this I plead for some money for building a hostel for students of pharmacy training at Jalpaiguri.

8j. Nirmal Chandra Bhattacharyya: All the money will go to Jalpaiguri!

8j. Charu Chandra Sanyal: It is not much. It is only one lakh.

Under the head "Medical" I plead for some money for an addition of 50 beds in the Krishnagar hospital. This hospital was started in 1858 and now it has a bed strength of only 64.

8j. Debendra Nath Sen: Is it also in Jalpaiguri?

8j. Charu Chandra Sanyal: It is in Nadia. The maternity ward newly opened has 13 beds only and it is housed in a miserable tenement. The bed strength requires to be increased to 30 at least. The influx of refugees has made it more imperative as the mothers have neither money nor extra room.

In the Medical and Public Health there is complete diarchy. The Government and the district board have the same machinery for the same purpose to serve the same

[Sj. Charu Chandra Sanyal] area. This has led to much waste of money. Either the medical or the public health department of the district boards should be taken over by the Government or the district boards should be paid enough money to work the department efficiently.

[11-10—11-20 a.m.]

Incidentally I point out a mistake that crept into the blue book. A correction slip is probably necessary. I refer to page 43.

Sj. Debendra Nath Sen: Next year you get it.

Sj. Charu Chandra Sanyal: "Detailed account—sale proceeds of mepacrine tablets" under which it is written "sale proceeds of sera and vaccines" and "sale proceeds of sera and vaccines (in Cooch Behar)" but there is no mepacrine. In the other book Rs. 2,000 worth of mepacrine is stated. This is a simple error which I point out.

Then under the head "Intensive Food Production", page 87 of the Red Book—I would plead for reduction of costs under items 4, 6, 10, 18, 22, 25 and 26 and for spending money for establishment of a dry ice plant.

Sj. Bijan Bihari Bhattacharya: At Jalpaiguri?

Sj. Charu Chandra Sanyal: Near about Calcutta—may be on Harrison Road.

Sir, it is costly no doubt but the Brooklyn ice plant is a legacy of the last war that has well-nigh served its purpose. A dry ice plant would be a great advancement to preservation and transport of food and seeds. I again plead for establishment of at least ten field laboratories—I told you the other day—for soil analysis and training of Science graduates in soil science. The cost of ten such laboratories is near about Rs. 1 lakh excluding housing. Item 27—crop survey is a very useful step taken after a long time. We must know exactly what is the deficit in each district so that

the problem can be tackled more efficiently. The scheme of crop survey was taken up or a crop survey was completed by Mr. Ishague at the time of Second World War and since then a lot of change has taken place and so new crop survey is necessary. The sooner it is done and more correctly it is done the better for the nation and the better for all of us.

Then cotton cultivation. We would like to know the result of experiment on 3,000 acres of land under cotton cultivation because in India long staple cotton is grown in places where the rainfall never exceeds thirty inches. But in Bengal the rainfall varies from 70 to 250 inches. So we are very eager to know the result of experiment with cotton cultivation and the result with regard to the variety tried in each place.

Last of all, I come to State Trading. I propose to take up only one item in detail and to speak generally on electric supply—the gross profit is 50 per cent. of the capital and net profit is 5 per cent. Then again in Barrackpore electric supply—the gross profit is 50 per cent. and the net profit is 9 per cent. In Cooch Behar electric supply—gross profit is 125 per cent. and the net profit only 8 per cent. Scheme for Silk Dealers' Co-operative and allied organisations—gross profit is 10 per cent. and the net profit minus 7 per cent., minus 20 per cent., that is, loss. Road transport in and around Calcutta into which I would like to go into in detail. I think that would be of great help for the carrying on of this trade. On examination of the details—page 62 (Blue book) we find that petrol—the estimated purchase of petrol is Rupees ten lakhs eighty-seven thousand. That is taken at the rate of Rs. 2-8 per gallon; four lakh gallons of petrol were purchased for the buses. Diesel oil purchased Rs. 8,60,000; taking the price to be one rupee per gallon—it is now Rs. 1-3—average eight lakh gallons of diesel oil were purchased. Total twelve lakh gallons of motor fuel

were purchased for running the buses. On the average a bus runs ten miles per gallon. So there was a total run of 120 lakh miles. Receipt from ticket sale was near about Rs. 100 lakhs—it is 1,06,00,000. That is thirteen annas receipt from ticket sales—13 annas per bus per mile. Taking the fare at nine pies per mile only 17 passengers boarded the bus per mile. If 17 passengers board the bus per mile and pay their fare at the rate of nine pies per mile, then the account of receipt of Rs. 100 lakhs for 120 lakh miles run becomes true. But single deckers have 30 seats plus 10 standing and double deckers 60 seats. If all the passengers are made to pay their fare and if the realised money comes to the Government, the State buses should not run at a loss. Taking the bus strength at 335, which is given here, each bus runs only 4,000 miles a year, on the basis of 300 buses running and 35 always on repair. That is, the mileage also requires to be increased. I draw the attention of the Government to this point. This is also an instance cited to request the Government to review the entire State trading. This is introduced only because the lands and the industries will come to the Government very soon and the State trading should come to such a position that people would be rather too glad to hand over the lands and the industries to the Government as a safe custody. Last of all, the West Bengal State Rupee—from where it comes and where it goes—is very interesting. One who has compiled it is certainly a clever fellow. He has most cleverly asked the question, from where it comes and where it goes, and he has furnished a reply on page 17.

[11-20—11-30 a.m.]

It comes from the Heaven and goes to the Hell, but we do not share his views. We poor mortals know neither the heaven nor the hell. We want the money to be judiciously spent for the maximum welfare of the poor mortals. With this purpose we can assure the Government that our co-operation would

never be lacking. With these I finish my observations on the Budget.

Sj. Debendra Nath Sen: On a point of information, Sir. What about the other side speaking alternately, Sir?

Mr. Chairman: I have not yet received any names from the honourable members to my right.

Sj. Debendra Nath Sen: So they do not like to speak at all?

Mr. Chairman: Possibly they will speak tomorrow.

Sj. K. P. Chattopadhyay: If the other side will not speak it becomes a sort of one-sided talk.

Sj. Nirmal Chandra Bhattacharyya: They have gone dumb all on a sudden.

Mr. Chairman: Let us now follow the procedure followed in the case of the discussion of His Excellency's speech.

Sj. Nirmal Chandra Bhattacharyya: Possibly they are not obeying the ruling that you have given. Your ruling was that the two sides would speak alternately.

Mr. Chairman: This is what I thought was going to happen, and since I have received no names from the side to my right I will ask your side to proceed.

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, the present budget which we are to discuss is one which is not different from that which could have been expected from a government before 1947. The same bureaucratic negligence of the real needs of the people, the same stereotyped presentation and the same callous disregard for the conditions of the people are manifest in the budget. The credit or for that matter the discredit for this budget as has been frankly admitted by Dr. Roy, falls on the shoulders of his predecessor Sri Nalini Ranjan Sarker. Nevertheless, since the execution of

[Dr. Monindra Mohan Chakrabarty] the schemes envisaged in this budget falls on Dr. Roy's broad shoulders, very broad indeed, he has got about half a dozen portfolios, he cannot escape the responsibility. The main feature of the Budget is the negation of all the virtues claimed for it by situations inherent under the conditions under which the budget has been presented. Overdue importance on the Police budget and under estimation of the basic requirements of the subject such as Education, the absence of any reference to the solution of the fundamental problems of West Bengal, namely the agrarian problem, failure to tackle the ever increasing needs of the Refugee Rehabilitation problems and the absence of any real policy for the amelioration of the condition of the masses remain the general features of the present budget. It could hardly have been otherwise with the top-heavy administration beginning from the very top.

Sir, the Chief Minister compared the business of State administration to the administration of a huge business concern while supporting his demands for the provision of 29 ministers justifying his claim for this by the fact that the revenue of the State has increased from 14 crores to Rs. 35 crores since 1937. I dare say that in spite of his connections with high finance he committed a great mistake which very few businessmen would have done, that is of increasing the overhead expenditure on executives in a concern like State concern running at a deficit. Every sound businessman would have told him that the real need was for cutting down the cost of running the business for cutting down the gap of deficit. It appears, however, that Dr. Roy cannot think of any other way. In fact, the proportionate expenditure on various heads offers an interesting comparison. Thus while the overall General Administration including Jails, Police, Administration of Justice, etc., cost more than Rs. 10½ crores, Education has been given a meagre share of round-

about Rs. 4 crores, to be more correct, Rs. 3,99,69,000, and Medical and Public Health together about Rs. 4 crores 90 lakhs and 59 thousand, and Agriculture and Veterinary together Rs. 2 crores 34 lakhs and 94 thousand, Industries and Fisheries Rs. 52,21,000, and Civil Works Rs. 4,37,94,000. It is thus seen that the General Administration claims almost the same amount as the important nation-building departments such as Medical and Public Health, Agriculture, Veterinary, Industries and Fisheries together. It is important to note also that of the total cost of the General Administration about 60 per cent. goes for the police whose efficiency we observed recently. The Chief Minister waxed eloquent over the maintenance of law and order. Well, what sort of order is prevailing in our State today with the prevalence of black-marketing and anti-social practices in ever-increasing scale! These practices are eloquent testimony of the efficiency of the police for which he has claimed about 60 per cent. of the total cost of administration.

Sir, the Chief Minister spoke a lot about new Development Projects. I do not understand how he can expect to realise the same when he neglects the basis of development, namely, the educational facilities of the State by providing only about 11 per cent. of the budget for this all important subject. In a State where more than 75 per cent. of the people are illiterate, he proposes to spend more than 30 per cent. of the budget in maintaining administration, about 10 per cent. of which is for jails and convict settlements. Even compared to the Governments of other States the present Government's treatment of the education and educators is simply shameful. Which other Government while asking for the Olympian luxuries of his ministers and deputy ministers would have been brazenfaced enough to deny a few chips each to the poor teachers? In fact the whole education budget is not only insufficient and inappropriate but raises invidious distinctions between the Government and

non-Government educational institutions. Thus, although the non-Government educational institutions cater to the needs of more than 80 per cent. of the students in all stages of education they get just over 50 per cent. of the sums spent for this purpose. The University of Calcutta is, as usual, given just enough to maintain its existence while large sums of money are spent on different useless purposes. Some of the sidelights of the budget make interesting reading. In Grant No. 18, Budget head "Scientific Departments", a sum of Rs. 97,000 has been allotted for donation to scientific societies. In the list given I find the names of the Mahabodhi Society of India, the Ramkrishna Mission Institute of Culture, Calcutta Historical Society and one Iran Society. Now I for myself do not grudge the amount of money allotted to these societies which should have been grouped under the head of "cultural society", but I cannot understand why these societies have been grouped under the head of "Scientific Departments". I think this is taking away a share from the "Scientific Departments", and I particularly have never heard about the scientific activities of the Iran Society. I do not know whether similar societies like Turk Societies or Egypt Societies are in existence but still the Iran Society, at least as far as my information goes, cannot be regarded as a Scientific Department and this is an example of the way that money is spent.

[11-30—11-42 a.m.]

As in the case of scientific societies many other amounts have been sanctioned for dubious purposes. The total grant for Agriculture is Rs. 2,25,24,000, and some Rs. 34,000 has been allotted for banana research, and this amount has been increased recently from Rs. 17,000. I am aware that research on bananas is important, and in such countries as West Indies and Canary Islands these researches are carried on. But the increase of allotment on this head, I do not think, can be

justified, as we have never heard about the results. Then again, there is a scheme for "rapid enquiry into fat, solids-not-fat and specific gravity of milk". To say the least, it is funny, because now no urgent enquiry is necessary for determining these things. Any dairy chemist would have told the worthy who has given this item that all these things have been done a long time ago and methods exist in all the well developed countries which have a dairy industry.

Then again, for the Medical and Public Health Department altogether about Rs. 4,90,59,000 has been allotted. The criterion by which the public will be able to judge the improvement in the public health or medical facilities is the absence of the preventable diseases or the facilities for the medical treatment of various important diseases. I have with me a list which was submitted to the Public Health Department from the Kanchrapara T.B. Hospital. Repeated representations were made by the staff or the authorities of the hospital over the absence of many facilities. There are 35 heads, I can read them, the accommodation problems of the staff of the hospital and ancillary departments, the X-ray, the absence of any facilities for the mental cases, repair of the recreation hall which is in a very dilapidated state, methods for the disposal of dead bodies, labour room for the female patients, proper laundry facilities, proper sputum disposal chambers, perimeter fencing, ambulances, and so many other points. I would like to ask the Minister in charge of Public Health why in spite of representations of a long-standing nature no care was taken for the removal of these justifiable grievances. It is indeed a fallacy to say that the State of West Bengal or this present Government is trying to remove the diseases, ignorance, and so on and so forth, from the State while these institutions under their own care are neglected like this.

Reverting to the Education Budget we find that while a sum of

[Sj. Monindra Mohan Chakrabarty]
 Rs. 70,70,000 has been provided for the few Government colleges, only Rs. 1,32,45,000 has been given for the non-Government colleges. Now, as far as collegiate education is concerned everybody knows that the West Bengal College and University Teachers' Association have been making representations on this account, and without proper help from the Government they are not able to cater to the needs of the students. I refer particularly to the scientific training. The I.Sc. and B.Sc. students have no proper facilities for laboratories and equipment in most of these non-Government colleges. The College Principals wanted to represent their difficulties to the Education Minister in the last Ministry and the Minister flatly refused. He said, no useful purpose will be served by meeting such a deputation. The Government pays about Rs. 10 for the dearness allowance of college teachers. Now, this Association which is a representative one have been clamouring for the increase of this dearness allowance to Rs. 50 per month. There will be at the most about 2,000 college teachers, and the total expenditure on that account will be no more than about Rs. 1 lakh or something more. While the Government can spend large sums of money for other purposes, the Government did not think it necessary to provide for the small sum in the Budget. One would have thought that the coupling of the Revenue Ministry and the Education Ministry would have caused the diversion of more revenues towards Education. Well, we do not see that.

Sir, it is very clear that the present Budget is a repetition of the same Budget which was being presented in the days of the League Ministry or in the days of the British Government. The point which the Chief Minister and the Leader of the House tried to make the other day is that they are spending more in comparison with the previous Governments; But it is ridiculous to suggest that to

spend a few lakhs here and there more in comparison with a reactionary and foreign Government is doing all that they could have done. They wanted suggestions from the honourable members of this House. Well, many suggestions have been offered by the earlier speakers. The only suggestions which I can make is reallocation of the various heads of expenditure in the budget. You can slash the money given for the Police Budget and divert it to Education or Medical and Public Health. You can organise and strengthen the administration without increasing the overhead, and enough would be done if you succeed in doing that.

In the end I would only say, Sir, that it is time that the present Government took notice of what is happening outside. If they claim that they run a welfare State, or if they claim that they are going to convert this State into a welfare State, they should be prepared to take the example of other countries. They can take the example of the administration of Britain under the Socialist Government. In 1950, in the United Kingdom the rate of taxation was such that only six pennies out of a pound could be retained by a man exceeding a certain category of income. As a result there were only 80 men in the whole of England having an income of more than £5000 or roughly about Rs. 65,000. Now you can see the difference in incomes of the various categories in Bengal today or for that matter, in the whole of India. This is not the way to run a welfare State. So with this warning and with the wish that the Government correct their ways, I should call upon the House—this House of elder statesmen which the Chief Minister alluded to—I am neither very elderly nor do I have any statesmanlike qualities, I suppose they are in abundance over the benches on that side—if they are very sincere about their elders' statesmanship, if they think that this State cannot go on with this sort of education budget, and that the development projects cannot be

fulfilled with this reactionary attitude, they should modify the budget, and act according to their conscience. Thank you, Sir.

Adjournment.

The Council was then adjourned at 11-42 a.m. till 10 a.m. on Wednesday, the 2nd July, 1952.

Members absent.

The following members were absent from the meeting held on 1st July, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Nāhar, Sj. Bijoy Singh.
- (3) Sarkar, Sj. Pranabeswar.
- (4) Sinha, Sj. Rabindralal.

COUNCIL DEBATES

Wednesday, 2nd July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 2nd July, 1952, at 10 a.m., being the ninth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

BUDGET FOR 1952-53.

General Discussions.

(Continuing from the 1st July, 1952.)

[10-00—10-10 a.m.]

Mr. Chairman: Honourable members, we continue the general discussion on the Annual Financial Statement for 1952-53. Sj. Chittaranjan Roy.

Sj. Chittaranjan Roy: Mr. Chairman, Sir. The Budget presented by the Hon'ble Finance Minister before this House has two aspects. It is a deficit budget, and it may be said by critics that it is not in complete fulfilment of all popular needs. As to the second aspect, that it is not in complete fulfilment of popular needs, I would submit that it cannot but be so. We cannot forget that during British rule we taught our people how we were being deprived of adequate food, how our agriculture and industries were being neglected, how we were made bereft of everything. People craved for independence and they felt that with the attainment of freedom all their miseries would be over, and they would enter into an era of plenty and sufficiency. During the struggle, there was no calculation, what would be the extent of plenty and what would be the speed of the fulfilment of anticipations. Naturally, after attainment of independence, people who did not hesitate to sacrifice, are full of hopes and naturally they need complete fulfilment. A man

hungry for years, when he feels that he has his own steward and food stores belonging to him, he forgets to calculate the amount in store. They, therefore, want to be fully fed and to be clothed with their own production; they want to be educated to the last man; they want to be treated without exception with the best medical relief. They want their home without any shadow of worry or woe. The question is, can any State, in course of five years, make up a complete foreign exploitation, a complete emaciation? Particularly, with the dawn of independence, the Partition threw on the forefront a communal riot tending to an unprecedented never-ending refugee problem. Our province lost its granary, lost its jute and cotton, wheat supply and to fill up the cup of miseries, population continually increased by influx; and, to add to this, a section of our people borrowed unsocial programme in order to create unrest and violence in and around. In these circumstances, if the Budget at the very present moment does not fulfil all the popular needs, are we to brook it or are we, who claim to be the elder statesmen of the Province, to be intolerant? The Budget appears to aim at development, removal of needs and worries of people, and therefore, the only question which would face us, is speed and mode of operation. This speed or mode of operation can be settled by putting our heads and hands together, and not by trying to pick up loopholes or hurling abuses. I would, therefore, Sir, in spite of these aspects of incomplete fulfilment of all popular needs, request my honourable friends to accept the Budget.

The other aspect is, it is a deficit budget. My friend honourable Mr. Choudhuri has rightly said that it need not awe us. An ambitious man to achieve his ambition cares less for squaring his budget than for achieving his end. Our leader's ambition knows no bounds and as his followers, we are not unnerved with this deficit budget. Some of my friends think that this deficit character is but a camouflage

and my honourable friend Mr. Sen has flung an ambiguous compliment "পাকা ব্যবসায়ী"। Let us examine if this is really camouflage. The Budget comprises Receipts and Expenditure.

If we look into the explanations on the receipt side quoted in the explanatory memorandum on the budget, we will find the decrease on the receipt side shown, relates to Excise duties and Industries mainly. The question is—are they justifiable? Regarding justification for the decrease I believe there can be no difference of opinion when decrease in Excise duties is mainly due to contemplated introduction of prohibition in Malda and West Dinajpur and reduction of quota of supply of opium for West Bengal during the coming year. In the column under Industry, the decrease has been shown due to three reasons quoted at page 36 of the explanatory memorandum of the Budget. I would not waste time by reading them. Those relate to facts and until some other facts are proved to rebut them those cannot but be accepted. These are factors where decrease in receipt has been mainly shown in the budget. No omission on receipt side is detectable, and I confess, that at least I cannot detect any and I believe there is none when our learned friend ex-Finance Minister has pointed to none.

Sj. Debendra Nath Sen: Food problem?

Sj. Chittaranjan Roy: He did not show any omission, so far as I took down notes of his speech. He may think of it today.

Thus the receipt side cannot be said to be a camouflage. Now I shall come to the expenditure side. I shall refer, Sir, with your permission, to certain items to justify that this part of the Budget is not also camouflage.

Sir, if we look into Grant No. 1, we will find that the demand for grant is about 34 lakhs for the collection of agricultural income-tax of Rs. 65 lakhs.

Look into Grant No. 2. There about 42½ lakhs is demanded for not only collection but maintenance of records, and carrying on survey and settlement, and to have a receipt of about Rs. 207 lakhs.

Take Grant No. 3, i.e., Excise duties where demand for grant is about 41 lakhs, the receipt is estimated at about 6 crores.

Similarly, if Grant No. 4, i.e., expenditure on Judicial and non-Judicial side is perused it will be found that the demand for grant for expenditure is about 7 lakhs, when income is expected to be about 289 lakhs, and such instances can be multiplied.

There is one item "Forest" where receipt side almost equals expenditure side. The receipt had been shown to be 58 lakhs whereas the grant on that head has been made for almost the same amount. This demand for grant includes items on further afforestation and improvement of communication and provision of accommodation for forest villagers. If those non-recurring expenditures be omitted then demand falls short by about 13 lakhs more, i.e., the demand comes to about 45 lakhs. I would still have thought of apparent disproportion between receipt and expenditure unless I would have seen that this disproportion is unavoidably and mainly due to difficulty on the movement of timber by rail and due to the further fact that in this line the trained and skilled persons are not in sufficiency in our Province. Besides, if we look into the Budget of 1946-47 when the receipt on this item was estimated at 31.85 lakhs the expenditure was 54 lakhs. And if we look into the Budget of 1936-37, we will find that the receipt was estimated at 20 lakhs whereas the expenditure without any scheme for regeneration was voted for about 15 lakhs, and at that time the expenditure related mainly to establishment maintenance and such other items. Thus in a growing welfare State if this domain be developed it is but natural that expenditure would not be grudged and

[Sj. Chittaranjan Roy.]

we must thank our Hon'ble Finance Minister that he has kept the expenditure within the limits of receipt in spite of an ambitious scheme for regeneration.

Thus, I would conclude that this deficit budget is not a camouflage but becomes an Hon'ble Finance Minister whose mind and march are so speedy that we can scarcely keep pace with it.

[10-10—10-20 a.m.]

If Education and Health are factors for a man to live as a man, irrigation and roads are factors for a man to live at all, and so the importance given to these two last items by estimating a rise of expenditure, 8 to 10 times more than in 1946-47, certainly it would get support from all quarters.

No doubt, we feel and I do very painfully feel the poverty with which most of our teachers, who are makers of our posterity and nation, and to whom we leave our children to be built up as worthy citizens of our country, are to struggle every day. But solution of this, to me, is not spreading begging bowls to Government or kind doles, as I believe even a dole of Rs. 100 a month would not relieve them of their miseries. To me, solution lies in asking Government to raise their status in society. In our country, the sage Basistha was Guru of Ramchandra, and he was not given the amenities of a royal life but he was given a throne when he used to come to Royal Court. This status we need for our teachers, the second father of our children. I believe, Government, without burdening its budget, can provide it by arranging free medical treatment for them, exempting them from certain taxes, arranging free education for their children, giving them preferential treatment in supplies and in all functions. This would create a status for them which would be worth their taking up this poor but august vocation.

I shall conclude my submission with a few words on Co-operation. I must confess I am not happy with

the development of Co-operation, but at the same time, I believe, that no money shall be wanting, as our Hon'ble Chief Minister has reminded us times without number, if we can push on this important movement with effective progress, our ideal of Independent India being a Co-operative Commonwealth. We must undertake education of people in Co-operation, and for this, without burdening the budget, I venture to suggest that curricula of Secondary Education and College courses should contain this subject and all publicity officers and other touring Government officers should be asked to take every opportunity to spread this movement. All District Magistrates and their subordinates should be insisted upon to look to the spread of this movement and to visit all institutions. Non-official workers should be taken into confidence for helping the Government to foster this. It would be our endeavour as far as possible to do this. All Government supplies and needs should be worked out as far as possible, and made practicable through Co-operative channels. This would not burden the budget and still the movement would grow.

With these words, Sir, I give my support to the budget presented.

Sj. Debendra Nath Sen: What special allowance for these various school teachers? Anything in the budget?

Sj. Chittaranjan Roy: I think I am not to be cross-examined in the House, Sir.

Mr. Chairman: Before I call upon the next speaker to continue the debate I would like to draw the attention of the honourable members to a procedure which is uniformly followed in the British Houses of Parliament, where written speeches as a rule are deprecated because they take away the nature of a debate or discussion. If any member has a speech made beforehand, in that speech naturally he cannot meet the arguments of the other side. So the general practice may be that, except in the case of the Finance Minister

who when he makes his speech before the House may need to quote a number of statistical figures, other members should kindly try to make their addresses in the form of a speech. Of course they are perfectly at liberty to consult their notes as frequently as they like; and I think we should adhere to the spirit of the debate. I now call upon the next speaker Mr. Kamini Kumar Ghosh.

Sj. Nirmal Chandra Bhattacharyya: I think your ruling yesterday was that the Opposition and the Treasury Benches would speak alternately one after another.

Mr. Chairman: I am trying to restore the balance. Three of your side spoke yesterday and as soon as three members of the Government side would have spoken there would be *quid pro quo*.

Sj. Kamini Kumar Ghosh: Mr. Chairman, Sir, while discussing the budget as an humble educationist I shall confine myself mainly to matters educational and shall incidentally touch on other subjects.

Sir, though the budget presented before the House is a deficit one, it is encouraging to find that some provision has been made for the relief of the distress which is now prevailing in some parts of the districts of the State. I would request the Chief Minister to make further provision for the same in view of the acute distress reports which are reaching us almost every day.

In the budget, Sir, it has not been possible to provide sufficient money for the different subjects which, in our opinion, should receive greater attention but the earnestness of the Chief Minister in solving the problems is evident in the concluding lines of the Budget statement where he says, "Though we have achieved much I am conscious that much more yet remains to be done. In accomplishing what is left undone I seek the co-operation and guidance of every section of this House and during the next five years we shall be on our trial and we shall be called

upon by constructive work to bring food and prosperity to the people who have suffered long".

Sir, I shall now deal with the item "Education". The Budget Estimate shows that under the head "Education" if we compare this year's figure with that of the last year we find that in this year provision has been made for an increase of expenditure by 49 lakhs. At first sight, Sir, it may appear that better provision has been made for Education this year. Now, Sir, let us look into the details of expenditure. We find that for the Calcutta University provision has been made for Rs. 16 lakhs as against Rs. 15,25,000 last year. For Government Colleges provision has been made for Rs. 11,72,100 as against Rs. 10,87,000 last year. For the non-Government Arts Colleges provision has been made for Rs. 7,18,700 as against Rs. 6,85,400 last year. For the colleges for women Rs. 1,12,800 has been provided this year as against Rs. 66,800 last year. Now, Sir, in the last two cases provision for a lump grant amounting to Rs. 2,28,200 and Rs. 45,800 respectively has been made and this is really encouraging and this, I hope, will enable colleges to some extent to tide over the difficulties which they have to face.

Sir, the Dispersal Scheme of the Government, in my opinion, has not received as much response from the people as it deserves and as a result the congestion in the colleges of Calcutta has not been diminished and it is for the Education Minister to see if this scheme is to be modified in any way to meet the needs of the people. (Sj. DEBENDRA NATH SEN: Destructive criticism.)

I now come to secondary schools. For secondary schools provision has been made for Rs. 11,29,000 as against Rs. 10,52,000 last year and for non-Government secondary schools provision has been made for Rs. 35,60,000 as against Rs. 32,60,000 last year and this is to be given to the Board of Secondary Education for recurring grant, and Rs. 60,000 for building

[Sj. Kamini Kumar Ghosh.]

grants. Evidently there is provision for an increase of three lakhs in item No. 1, I mean recurring grant.

We find in the Budget that only Rs. 60,000 has been provided for buildings of secondary schools. Considering the high prices of building materials and the number of new schools that are growing for the refugee students this sum requires larger augmentation. I would draw the attention of the Chief Minister to this fact. If we look to the primary schools we find that provision has been made for Rs. 2,15,000 as against Rs. 2,10,000 last year. Practically there has been no decrease this year.

Now, Sir, if we consider the number of secondary schools we find that the budgeted sum is insufficient for the needs of the people. The scale of salaries of the teachers is anything but satisfactory and we cannot expect efficient teaching even if the teachers are qualified unless they are satisfied. Sir, I would therefore request the Chief Minister to find out ways and means to provide for more money for the secondary schools so that the teachers may get salary sufficient enough to keep themselves above worry.

[10-20—10-30 a.m.]

We understand that the Board of Secondary Education will soon send their recommendations as regards scales of salaries of teachers of secondary schools and I would request the Hon'ble Chief Minister to give effect to these recommendations at an early date. But I understand that it would take some time to implement these recommendations. In the meantime I would request the Chief Minister to give some relief to the teachers in the shape of increased dearness allowance.

In the colleges—as honourable Dr. Monindra Mohan Chakrabarty pointed out yesterday—the college teachers get dearness allowance at the rate of Rs. 10; the school teachers get it at the rate of Rs. 5;

and the Primary School teachers get it at the rate of Rs. 3. I would request Chief Minister to make provision for increased dearness allowance for teachers of all stages, primary, secondary and college. When I was listening to the speech of the honourable Dr. Monindra Mohan Chakrabarty I was wondering whether he remembered that there were educational institutions in the State other than the colleges. It is right and proper that as a professor of a college he should advocate increase of dearness allowance for college teachers to Rs. 50, but he forgot that college teachers with their increased salary have a little greater advantage for fighting against high prices that are prevailing than teachers of secondary and primary schools.

Dr. Monindra Mohan Chakrabarty: I only referred to the resolution of the West Bengal College and University Teachers' Association.

Sj. Narendranath Bagchi: Sir, will you allow members to address each other?

Mr. Chairman: You please proceed Mr. Kamini Kumar Ghosh.

Sj. Kamini Kumar Ghosh: It is only fair that we should look to the education as a complete picture and not create something like a caste system in this matter which will tend to create unhealthy feelings, if not bitterness. So, I personally think that although I belong to a secondary school, Government should do as much as possible for all stages of education as the body politic of the State will suffer if any of its limbs languishes.

Sj. K. P. Chattopadhyay: Sir, on a point of explanation. On this side of the House we fully support the claim for equal dearness allowance.

Sj. Kamini Kumar Ghosh: In the Board of Secondary Education a resolution has been passed recently that dearness allowance be paid to the teachers at the rate of 17½ per cent. of the salary or Rs. 35 in the minimum as is done in the case of

Government schools; and the resolution has been forwarded to the Government. I would request the Chief Minister to give effect to the resolution and this gesture will certainly be appreciated by all concerned

Sir, owing to recent worsening of the situation in East Bengal, influx of more refugees is evident. Apart from the rehabilitation question and the question of removing distress, I would urge on the Government the necessity of providing educational facilities to these hapless, uprooted boys and girls who are after all our kith and kin.

With these few words I would close my speech.

Sj. Debendranath Mukherjee:

Mr. Chairman, Sir. Three days have intervened between the time when the Chief Minister introduced the Budget and the time for discussion. I should frankly concede that I have not been able to have thorough mastery over this big volume containing thousands of figures but I have carefully gone through the Explanatory Memorandum of the Hon'ble Chief Minister. I have noted also his words of platitude to the members of this House. I may take his words as a *bona fide* expression of his estimate of the members of this House, but I feel it was absolutely unnecessary as the adaptation of the Budget is a foregone conclusion in view of the fact that the House possesses a clear majority of the Congress members and in addition 9 out of the 51 members have been nominated by His Excellency the Governor. However, let me take the expression as *bona fide* expression of his estimate of the members.

[10-30—10-40 a.m.]

I would not take the time of the House by referring to figures on this item or that item. But I would propose to consider the underlying principle of the Budget as introduced by the Hon'ble Chief Minister of West Bengal. Because I do feel that the budget figures are not purely matters of arithmetic but they reflect the policy of the administration of Government and

they represent the character of the Government. So my discussion of the Budget will be on the administrative policy of our Government and the character of the Government. From that standpoint I make bold to submit that the Government which has been described by my friends on the other side as paternalistic Government and welfare Government is not really so. In my estimate our Government is absolutely a perversion of democracy—it is not a good form of Government as we understand it in the words of Aristotle, the great philosopher. It is a complete negation of democracy. I would say from reference to the figures that it is an autocracy, the Government doing whatever it likes for the self-interest of the Government. That would be my point for establishment on the Budget figures. It will be found that the old set up of the Government as left by the British bureaucrats is still continuing. If honourable members refer to the figures relating to the Governor and his establishment, they will find that on that account we are spending Rs. 5,84,000. Of course, I leave out of consideration for the moment the additions which will be made—and I believe I am right that the additional Deputy Ministers' increased salaries which have not yet been sanctioned by the Assembly have not been included in the Budget. We already find a demand for Rs. 5,72,000 for the Ministers; and if that is sanctioned—and I am sure it will be sanctioned on account of the clear majority of the Congress members—the total expenses for the Ministers will be more than Rs. 10 lakhs. We find that for the Police only there is a provision of Rs. 6 crores—for the Calcutta Police we find there is a provision of Rs. 2 crores 30 thousand and if we refer to page 165, Sir, we find that there is a provision for motor cars, insurance and other charges of His Excellency the Governor. Rs. 1,33,000 has been provided for motor cars, insurance and other charges in a country where according to a booklet published by the ex-Minister Sj. Bimal Chandra Sinha,

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and I have also looked to Dr. Rao's report, we find that the *per capita* income for the whole of India was only Rs. 65, and Sj. Bimal Chandra Sinha raised it in the present day prices to Rs. 165 for the whole year. That means the monthly income *per capita* is hardly Rs. 13 to Rs. 14 and in a State like this we are making provision for the motor car, contingencies, etc., to the extent of Rs. 1,33,000 for His Excellency. Sir, there is a saloon reserved for the Governor for which the maintenance cost is Rs. 8,000. I cannot conceive how the Hon'ble Chief Minister of West Bengal who has shown considerable courage of conviction and sincerity of purpose in many matters does not endeavour to change the old traditions which were connected with the aristocratic imperialistic Lords who came to our Raj Bhawan, lived and slept there. I do not find any justification why the same provision should be made by our nationalist Government when the people are starving, where the *per capita* income is Rs. 13 to Rs. 14. Can it be called a democratic Government? Can it be called a paternalistic Government? Can it seriously be called a welfare Government? The Government which does not think of the common man on the street but which is making provision for such allowances to our Governor, who does not spend perhaps Rs. 100 per month for his living. For such a man our Finance Minister is making a provision only on motor cars Rs. 1,33,000, a saloon for Rs. 8,000. Some other figures are even more amusing. We common people cannot think how could there be a provision of Rs. 6,000 for curtains and Rs. 26,500 for carpets and furniture for the year 1952-53. Sir, what is the picture on the other side? I have already referred through you to the House the *per capita* income. Sir, we are noticing almost every day reports of starvation deaths. In all responsible papers supported by the Congress Government we find these reports being published from time to time. Then we find famine actually overtaking

our people. Gratuitous relief is now being provided. I would come to that later. Sir, I cannot understand if the Finance Minister cannot make a provision of dearness allowance of more than Rs. 10 for the professors of the colleges and Rs. 5 for the teachers of the secondary education, those who are making these Ministers and Deputy Ministers, who as one of the honourable members said are building up the nation, how he finds funds for the curtains of the Governor, how he finds sufficient fund for the motor car and its accessories and the insurance costs, etc. Sir, I would refuse to call it a paternalistic State as one of my honourable friends on the other side Sj. Subodh Kumar Bose represented it to be the other day. Sir, what the people would think of that father who flies in the air, cools himself in the air-conditioned room, rolls and drives in the Rolls Royce car or cars of a similar type but finds the children starving and getting no education! I should be ashamed of having such a father. The whole country would be ashamed of having such a father for the whole State. Sir that is the paternalistic State of which Mr. Bose was boasting. I would ask the House to consider whether in view of such provision made in the Budget we can really call it a democratic State, whether we can call it really a paternalistic State? Sir, I should say that if anybody is to be characterised as anti-social and anti-national I would characterise our Ministry as anti-social and anti-national (hear, hear, from the Opposition benches). That is my estimate of the Ministry of West Bengal who have not made any provision for the feeding and the educating of the poor but who without any grudge make this provision for one man, the Governor, and also such provisions for the Ministers.

Sir, I was looking to the income of Uttar Pradesh and I found that their income is Rs. 61 crores and odd. But their demand for the Ministry is only Rs. 5 lakhs and odd but our demand for the Ministry is going to be more than Rs. 10 lakhs.

Besides there are other allowances—touring allowances and other things. So, that is my first point. The old set up is still continuing and there is no gesture on the side of our Government to break off that old tradition which was connected with the British bureaucrats and our Government is not thinking of the poor man on the street.

[10.40—10.50 a.m.]

Then, Sir, I refer to the provision for gratuitous relief and test relief. The Hon'ble the Chief Minister has mentioned in his explanatory memorandum that he has kept the original budget of Mr. N. R. Sarker as it was but he has added to it a provision for the gratuitous relief and community development project. Sir, you may remember and many of my friends present here may remember that when it was for the first time brought to the notice of the public that conditions were going very bad in the Sunderbans, that there was a breach in the embankment, that crops were not available, there was no good crop for 2 to 3 years and they were crying for succour from the Government, the Government turned a deaf ear to all these cries. We know, one social worker Bholanath Brahmachari wrote columns after columns in different newspapers, but no attention was paid to it. I know that some of the members on the other side of the House sent their representatives for an enquiry in the Sunderbans, and a different picture was depicted as we got it from the newspapers. They characterised it as dramatisation of the distress for the purpose of self-interest of the political parties. Sir, there was a deliberate attempt on the part of our Government to suppress this sort of distress in the affected areas of West Bengal, but ultimately when—thanks to the Hon'ble Rafi Ahmed Kidwai—he came down to Bengal he was shown these affected areas, and his heart melted at the sight of the distress, and we are thankful to him that the food policy of our own Food Minister of West Bengal had to be altered and he has

made various provisions for reducing this distress in the different parts of West Bengal. So, the provision that has been made had to be made on account of the intervention of the Centre and on account of the insistent demands, the widespread demands of the people in different parts of West Bengal—it is not due to generosity or sympathy for these distressed people but under pressure this provision was made.

Then, Sir, about the Community Development Project. Sir, I must appreciate this enterprising spirit on the part of our Hon'ble Chief Minister. He has rightly said that he finds every day, every hour, every moment a freshness of life, freshness of vigour, that his mind is not a static but a dynamic mind; and these projects no doubt owe their origin to this dynamic mind of our Hon'ble Chief Minister. But, Sir, if we scrutinise all these projects we shall be convinced that they have been done not so much for the well-being of Bengal as a whole but with an eye upon the problems of Calcutta. Sir, it will be clear from an examination of the Budget figures that in the interior mofussil—Sir, I belong to a very remote village on the other side of the Ichhamati river of the subdivision of Basirhat—I have not noticed anything being done either by way of improvement in the means of communication or any industrial project by which the people of those remote parts might be helped. Now, Sir, it is only to remove the congestion of the City of Calcutta which has engaged his attention—and I do not say that that is no problem, but what I want to establish is that if we examine all these projects, it will be clear that these projects were intended more with a view to remove the congestion of Calcutta and to remove the difficulties of Calcutta than with a view to development of the rural areas. Now, I am very doubtful about the township programme. I am only submitting my estimate of the township project. Sir, there are already towns in the

[Sj. Debendranath Mukherjee.] districts, in the subdivisions, but the growth of towns is not all; it does not bring along with it improvement of the villages. Go to Bankura, go to Suri, go to any district town; the Government will not be able to establish that because there was the growth of these towns in the mofussil there has been any amelioration of the conditions in the neighbouring villages. This fact has not been established. So, before crores of rupees are spent on any township project I would suggest for the consideration of the Hon'ble Chief Minister of West Bengal that a programme be put into operation for the economic uplift of the conditions of those villages adjoining those mofussil towns already existing. Sir, we know the carpenters in the villages do not find means of employment; there are oilmen "*Kolus*" who do not find good market for their produce; there were blacksmiths in the mofussil villages, they have been altogether rooted out on account of foreign competition. Now, if the Government had paid its attention to these different handicrafts of the villages and had found out some method by which by means of co-operation, by means of introduction of the latest means of development these handicrafts of the villages had been developed, and if protection had been given from the competition of the foreign trade, I think, Sir, with much lesser amount we could have expected a better condition of the villages.

Now, as regards the projects for deep-sea fishing and also the transport facilities by way of introduction of buses, I submit as the figures show, the Government is undergoing loss everyday, every year, and crores of rupees ought not to have been spent on the transport facilities such as purchase of buses. The buses might have helped the people of Calcutta for the purpose of transport from one part to the other, but I submit that if the Government, instead of starting buses themselves, would have issued licenses to private parties, all this

huge capital outlay would have been avoided. I know that the people are crying for getting licenses, they are knocking at every door of one member of the Congress to another for getting a license, but they will not get the license. If these licenses would have been issued, the Government would have got certain fees from the issue of licenses without any expenditure, and these facilities could have been available to the people and such a huge outlay would not have been made on account of the purchase of these buses.

Sir, I also refer to the cold storage. That is a luxury which ought to have been avoided; for it so much ought not to have been spent. Of course, as regards the scheme of electric power being introduced, I certainly express my appreciation of that project, but what I submit for the consideration of this House is that that should not be confined only to northern Calcutta and its suburbs, but Government should without delay introduce these projects into the remote parts so that the villagers might avail themselves of this power and might start some machinery for wheat-crushing and also rice-milling. All these things may be done if electric power is available to the villagers in the remotest part, but that has not been done.

[10-50—11 a.m.]

Now, Sir, I refer to the deficit. Mr. Roy, the Deputy Minister, has said that it is not a camouflage deficit. I wish that it is not so, but unfortunately whether it is our ill luck or it is the ill-fated hand of Dr. Roy, we have noticed that the Corporation where he had great influence in the shaping of its financial policy, the entire closing balance was depleted and we have found the financial bankruptcy of the Corporation. Our Chief Minister was also in charge of the accounts of the Calcutta University. There also we found that the expenses were not adjusted to the income. There was no closing

balance and the result was disastrous, the same bankruptcy. Now, we find from his words that there has been a bankruptcy, there is a negative closing balance of Rs. 3 crores and odd. That arouses a great apprehension and a great danger and I would therefore, Sir, submit to the Hon'ble the Chief Minister that he should so provide moneys in order that he does not again bring bankruptcy upon the Government of West Bengal. Sir, I would finish in a few minutes. He is banking upon the contributions which we may expect from the Central Government both on account of our share of the income-tax proceeds as well as our share of the jute duty. Our claims to these are well founded. Dr. Roy's contention is perfectly right and both the Houses of Legislature should strengthen his hands so that he may succeed in getting suitable grants both on the items of income-tax and jute duty from the Centre. Sir, I am not going into the details of the figures which have been referred to by some of my friends. I leave them for discussion and consideration by other members of the House. With these words I submit and I reiterate that the budget as framed does not establish that our Government is a welfare Government or a paternalistic Government.

Janab Musharraf Hossain: Sir, I am an old man who has been asked to deliver a speech. I do not believe I can do justice to the occasion. I welcome the budget presented before us by our worthy Chief Minister because I find in it really a picture of a sound and healthy and prosperous State. (Sj. DEBENDRA NATH SEN: Without reading it?) (Sj. KALIPADA MOOKERJEE: Reading is your monopoly.) I welcome it because I find in it sufficient provision for the maintenance of peace and order in the country especially at a time when people have become mad and cut each other's throat absolutely for no reason whatsoever and on petty grounds. I welcome the budget also because more money is

provided therein, for education, medical, public health and other subjects. In the budget speech the Hon'ble the Chief Minister said that when he began work he found darkness on all sides and it was only after 4 years of work he could find light. That light has now come and I also see light in place of darkness after a long time. When he took up office you all know what the country was. Killing was going on all over the country and as a result of that people from outside were coming to this part of the country for safety and a lot of people from here, out of fear, were going to the other side. After a struggle lasting two years, he has now succeeded in establishing peace and order in the country. Now, of course, we can go about in safety from one part of the country to the other but that was not the state of affairs before. I congratulate the Chief Minister for bringing about a peaceful state of affairs now.

Then, let us come to the other side of the picture. When he took over office, really speaking, the country was short of foodstuffs and gradually he built up the country and raised the crop of the country. This Government, just by spending a crore and a half rupees on an irrigation project, have provided, facilities to irrigate 7 lakhs of acres of land. Cannot the people see that very good work was and is being done?

Then, let us come to the Mayurakshi project. My friends opposite can well see that this project though half complete has practically done so much good to that part of Birbhum. That, I should say, is very good work done by this Government. I hear from my friends hailing from that part of the country, from places like Saitia and other places in Rampurhat subdivision, where irrigation facilities have been given, there double crop has been produced. Now, if other parts of the Birbhum district could be provided with such irrigation facilities at a small cost of 7 or 8 crores of rupees, 20 lakhs of acres of land could well be brought under

[Janab Musharraf Hossain.]

the irrigation scheme. This work, I must say, was started by this Government although there was a project like this in our time also, but it was not carried out. So I must give credit to my friend for what he has done and is now doing.

Then coming to the Damodar Valley Scheme, there I cannot agree with him in every detail and he is now spending two crores of rupees and I do not know how many crores more would be required for purposes other than irrigation. It is a multi-purpose scheme for several purposes. Irrigation is one of the purposes. Here I would say, if I were in charge I would have first started with the irrigation part of it and would have tried to provide irrigation facilities to the remotest parts of the country to irrigate 30 lakhs of acres of land on both the sides of the river but that has not yet been done. Money has been spent for other purposes. I do not think there is any necessity for getting electricity there at this time. You will have to start a lot of industries afterwards just to utilise the electricity that is produced. I agree with the principle that the project is a very good project and, if carried out, it would bring great relief to the country.

[11—11-10 a.m.]

Then, Sir, about electric supply. Government are giving supply of cheap electricity round about Calcutta. But I am a selfish man and while I am on my legs let me say something about my part of the country—Jalpaiguri. Sir, there was an electric scheme there. For years it was hanging in the balance. Every year we were expecting to see electricity scheme to be operated upon. We were expecting that dams would be constructed across Jaldagga river and the tea gardens in our part of the country will get cheap electricity. That power would be very useful. Sir, it seems that the scheme has been totally forgotten. As it generally happens, everybody is selfish and from the selfish point

of view I am presenting my case. At present we are getting our power from diesel oil and coal. Sir, I may say that coal is sold in that part of the country at Rs. 95 per ton. That is a state of affairs with which it is very difficult to put up. Then diesel oil can be had at a price of Rs. 300 per ton. That is the state of affairs prevailing in that part of the country. An allotment was made of some lakhs for agricultural tractors but nothing could be done simply because of want of electricity to give cheap driving power.

Sir, as I was saying, in the beginning there was darkness. Now the light has come. I may differ from the Hon'ble Chief Minister in just small details but, Sir, in principle I am at one with him. I say that very good work has been done. As an old man of 71, he is very active. I am an old man at this age and I cannot think of going to office before 11 o'clock. But, Sir, the Hon'ble the Chief Minister goes to office in the morning at 9 o'clock and works there till 6 p.m. or even more in the evening. He is working so hard for us. Then he is delivering speeches here to explain to us how things stand. Of course, he is a bachelor. He is observing celibacy.

Sir, there is want of food in the country no doubt but there should be birth-control. I think there should be marriage control instead of birth-control. If a man has one wife and he wants to marry again, he should have to take the order of a Judge before he can marry another wife. I think everyone should put his heart and soul to the task of stopping birth. If birth-rate can be checked, the problem of food will be easy of solution.

Sir, I congratulate the Government for the Budget that they have presented.

[11-10—11-20 a.m.]

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir. More than one speaker has already spoken about the disproportionate expenditure on

Police and the comparatively much less expenditure on Education. We find that Police and Jails between them take 24 per cent., Police taking 20·6 per cent.—that is the net ratio to the total cost; while Education gets according to the figure 13·6 per cent. and that it was last year 12·3 per cent. These figures do not enable us to make a comparative study of the amount spent in the other States of India as they include the allocation of other expenditures—indirect expenditures—such as those on interest charges. If we exclude that we get the figure 11 only for this year's budget and for last year according to a publication of the Government of India, Education Ministry, 8·9 per cent. was spent directly from revenue on education. If there is any mistake I am not to blame—the different Governments are to blame. As against this I have to mention that Bombay spent last year 19·8 per cent. and Madras 17·6 per cent. of their revenues according to the same publication. These are very low figures for Bengal which at one time led the rest of India in educational matters in spite of the fact that under British rule it was being governed by police methods. But the trouble is as some of the other speakers have said it has become more of a police state than of a welfare state. In 1945-46 which was the last normal year in undivided Bengal—the next year the horrible riots broke out—I find from the figures furnished in this booklet which has been circulated to us that the police cost was about 3½ crores of rupees while education was getting about 2·4/5 crores. The expense on education now represents on the revenue an increase of 1·15 crores or if we include other charges 2 crores. But the police cost is Rs. 6 crores and 7·2/5 crores including other charges. Therefore the increase on education, which is a welfare activity, has been barely one and a half times while the increase on the head of Police has been more than doubled. If in a condition under British rule when it was admittedly

a police state the expenditure was a certain figure and if now the expenditure on policing more than doubles and there is less expense on education, the figures indicate that there has been a greater stress on the police side of the State than on the welfare side. I do not wish to repeat the figures regarding primary education which I mentioned in this House the other day in discussing the Governor's address. I had expected that we would get figures in the explanatory memorandum, on the budget about the number of children of school going age who are now actually in primary schools. I regret to state that we have not got these figures. All that the Hon'ble Chief Minister said was with reference to my complaint that nowhere had compulsory primary education been introduced and he in reply said a scheme of primary education had been introduced in an area representing the size of one district in Bengal. Now, Sir, this was a very vague reference. It may mean that a few schools have been started with a view to introduction of compulsory education or it may even mean that a few high officials have been appointed just to consider the question. I am afraid we cannot be satisfied with that. I do not propose to go into details about primary education as I have already spoken on the subject on the previous occasion. I shall confine my remarks in the matter of education to the ill-planned manner in which the colleges in the mufassils have been helped. The Government of West Bengal some years ago called a conference of principals and suggested that the congestion in Calcutta colleges should be relieved by limiting admissions. As usual they put the cart before the horse. There is a demand for higher education and the students want to have good education in colleges. If such education is available in Calcutta naturally they will flock to Calcutta. It is possible to organize good colleges outside Calcutta. There is room for extension even in Government colleges outside but this has not been done. Krishnagar

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college, for example, has a very big compound. It has extensive grounds and also buildings. Some extension has occurred there but much more can be done. All good existing colleges might have been strengthened. Instead of that the Government gave grants to the colleges which were competing with each other. I have a letter in my possession from the Hon'ble Education Minister of the previous cabinet stating that they are opposed to the policy of having colleges close to one another. I will mention in what connection he wrote that to me. But the facts belie the statement. There is that college at Krishnagar. The Vidyasagar College, Calcutta, organised a college at Navadwip. That college is still in existence but it is no longer connected with our Calcutta College. Government have made a very small grant to it. While they have given a very big grant for organizing another college at Santipur. Now one can understand a college being started on the other side of a big river like the Bhagirathi but if another town is closely connected with Krishnagar and there are rapid means of transport by road and rail what is the point in starting a small college which can never flourish and with the teaching in which the students are not likely to be satisfied? In Midnapore town there is a large established college. Government have now started to strengthen it and I am very glad that they are doing so. They should have done it much earlier. Sir, they have also helped the college at Garbetta and colleges elsewhere. I am not at all against educational institutions being helped but it should be done properly and if help is granted at all it should be on a substantial scale so that the colleges can meet the requirements of the students. Khargpur, Midnapore and Garbetta stand very close to each other. There is regular rail and road communication. Nevertheless they being situated close to one another are competing with one another.

(Sj. CHITTARANJAN ROY: But the distance between Midnapore and Garbetta is 36 miles.) Take the case of Vishnupur also on the other side. What has been the result? Admissions are poor in Vishnupur, admissions are poor in Garbetta. Thus admission have suffered in both the institutions. If the Government can give them sufficient help it would be good but what is the use of giving a small amount of help and then waste the money? In Vishnupur they gave Rs. 80,000 I understand. Was it considered to be a special claim because the Hon'ble Rai Harendra Nath Chowdhuri was returned from there and because he had been in the previous cabinet and he got a seat there? But Garbetta did not get a big grant nor any such help. In Santi Niketan you have got a big college. It is now a University teaching science and arts subjects. Nevertheless Bolepur High School again was given a grant to convert itself into a college. If there is a need certainly it should be done but I do not know whether it is worthwhile having another college within two miles of Santi Niketan. We had tried ourselves, Sir, on behalf of the Governing Body of the Vidyasagar College to help to start colleges in areas where required. In Suri we started a big college which we are glad to say is flourishing. It is no longer connected with the parent body. It now runs as an independent college and I am glad that the Government has given a fair amount of grant to it. But, Sir, in one area the Government followed an even more extraordinary policy. I refer to the subdivision of Ghatal. Some friends collaborated with me in raising funds for a college to be started at Birsingha Gram, the birth place of Iswar-chandra Vidyasagar. We raised about Rs. 30,000, land worth Rs. 15,000 was donated by the Vidyasagar family and the college was started. Prior to starting the College in 1949 naturally an application was made to the University of Calcutta and permission was granted to start the College in April

and the application was forwarded to the Government for formal sanction.

[11.20—11.30. a.m.]

I do not know if members of this House are all aware that the University of Calcutta has not got the final say in these matters. They do grant provisional affiliation but it is subject to final approval by the Education Department of the Government of West Bengal. We admitted students. The staff was very good. We went on doing our work. Next year also we admitted students. Some of my colleagues who were on the Governing Body applied for a grant. That was a mistake. We wanted about Rs. 6,000 per annum or a building grant. At the worst we expected that it would be rejected, nothing more. But in April, 1951, when our students had already appeared at the Intermediate Examination, a letter came from the Government of West Bengal that the application for affiliation had been rejected. (LAUGHTER FROM THE OPPOSITION BENCHES.) The Syndicate of the University of Calcutta were shocked. They expressed resentment at this rejection after two years. If the Government wanted that the College should not be there, they should have let us know earlier. The teaching was not unsatisfactory. We sent up everyone, and 40 per cent. of those who were sent up passed as against 30 per cent. for the whole University. We were placed in some difficulty about the students who were at the end of the first year. What were they to do? We had the hostel arrangements for the stay of the students at an expenditure of Rs. 18 per student per month. It was cheap education in line with the tradition of Vidyasagar. It was difficult for us to arrange for the education of all those who wanted to continue their studies, and we were morally bound to do so. Thanks to the great man Vidyasagar—we were able to provide for students who had passed into the Second Year, and most of them have passed this year at the University Examination.

This is how, Sir, mofussil colleges had been helped. I understand that this year many of these colleges will be on rocks. I do not know what the Government are going to do about them. While this is the position with regard to the colleges, while these are the difficulties that they are suffering, we have a vast Education Directorate. But what is the necessity for that? We have now got District School Boards who are given a good deal of power, practically final powers, for looking after primary schools. We have got the Board of Secondary Education with its President, Secretary and other paraphernalia for looking after Secondary Education. We have now got a paid Vice-Chancellor to look after the University education. What justification is there for this vast Directorate? As a matter of fact in the absence of anything better to do, they seem to be helping the Police to get the teachers into difficulties. That seems to be part of their job. One of the members on the other side said a few days ago that the Ministers were acting as policemen and we objected to it. It appears, Sir, however, that part of the Education Directorate is becoming an annexe of the Special Branch. Recently Professor Niren Roy was elected to the Governing Body of a Calcutta College. Objection was taken to it that he was not a suitable person. He was a brilliant teacher. He was also a man who has contributed something to literature. Objection has been taken to another gentleman—it is, Sir, *sub judice*—I understand some discussion is going on still, not in a court of law but before the Chief Minister himself. There was also objection about another Professor who was sent up as the representative of the staff. In another case, Sir, in a Government College the students held a meeting on China Day, and one of the teachers spoke. Prime Minister Nehru speaks in terms of eloquence about China. The Welfare Missions and the Cultural Missions that he sends come back with all praise for

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China. But if a poor teacher speaks about China, he has to submit an explanation to the Director of Public Instruction as to why he spoke at all. I understand that he has eventually left the College as a result of these troubles. (Sj. NIRMAL CHANDRA BHATTACHARYYA: Dismissed.) It seems, Sir, that part of the Educational Budget should be allocated to the Police Budget, that 20·6 per cent. should be increased since the officers of the Education Directorate seem to be doing these policing functions. We are aware, Sir, that in the days of British rule, there was the notorious Risley Circular. We know, Sir, that there were strictures against teachers, they were chucked out because they took part in some national welfare activities. It seems that this sort of thing is going to occur again. What do the Police with 20·6 per cent. of our revenue—this will exert pressure on funds needed for other departments—what do they do? Are they able to stop thefts or robberies? I am afraid, Sir, they are not able to afford protection to the property of the ordinary citizens, not the common poor citizens. Theft occurs frequently nowadays. People have given up reporting because reports lead to nothing. In our locality before 1945 there used to be regular patrolling. Nowadays there is nothing. Thieves jump into our compounds, they come into my house, into the house of my neighbour Mr. Majumdar who was Secretary of the Council for many years. We chased them out. The noise that we made was sufficient to attract any patrol, but nobody turned up. When we went out to the streets, they were absolutely clear of any sign of policeman. This is the common experience of all. If you refer to the reports of the conference of the Police Commissioner, you will find that he admits that with regard to certain cases of murder, for example that which took place in Dixon Lane in 1948 or in other places “yes, we have suspicion, we know something,

but we cannot arrest people on that”. We agree that the innocence of a person should be presumed unless he is proved guilty. That is a thing which everybody knows, although one of the members of the other side said that after all it is a new thing not known to most of us. But you cannot have two tests, one for the common murderer and pilferer and another for the man who tries to fight for the rights of labourers, for the rights of peasants, for civil liberties and other things. What do we find, Sir? We find that just now many detenus have been released, but until quite recently we had hundreds of men and women detained under the Preventive Detention Act, the Security Act, and the numerous Acts which have from time to time disgraced the law books. You may think that, as one of the defenders on that side said, they are guilty of various anti-social activities. I shall read from the charge-sheets of one or two cases and indicate to you what kind of utter rubbish these people report. Here is a case of a man who was kept in jail for about four years and released quite recently. What was it? He was the Secretary of the Bata Factory Workers' Union. He held a meeting in January, 1947, and demonstrated against the management. That is neither subversive against the State nor is it an anti-social activity. Certainly the management may not like it because it will eventually lead to a cut in their profit. Three months later, it is alleged, he incited workers who abused the management. Well, Sir, inciting to abuse technically may be assault but it can be tried in a court of law. He was elected Treasurer of the Bata Majdoor Union and in an open meeting tried to create trouble about the bonus offer of Bata—I mean he expressed dissatisfaction at the bonus offer. Very subversive activity indeed, Sir! And he led workers going to the firm and creating trouble, whatever that vague expression may mean. He also

opposed the joining of the workers with the B.P.N.T.U.C. It is an affair of the B.P.N.T.U.C. and certainly not of the Government. These are the charges on which he was kept in detention for four years. What explanation could he give? What presumption of innocence was there under which murderers and robbers escape?

[11-30—11-40 a.m.]

I will give you some details from another charge-sheet, Sir, because you should know about them.

Let me take the case of one Markandeya Jha. What are the charges against him? They are that "he is a labour agitator and is carrying on agitation among the workers of the Calcutta Electric Supply Corporation and inciting them to violence". But no violence took place.

As Assistant Secretary of the Calcutta Electric Supply Corporation Labour Union he was charged like this "You are an active member furthering the destruction programme of the Communist Party". But nothing was destroyed. But the real charge is stated later. "On 4th October, 1948, you and another led a deputation of about 300 workers of the Calcutta Electric Supply Corporation in front of Victoria House, Calcutta, and persisted in bringing down the agent Mr. Colley before you to listen to your demands". What a grave offence to bring down a European manager from his cool chamber on the upper storey down—not by making him walk down the flights of stairs but by requesting him to come down by the lift—of course into the hot air outside in front of his office building "Victoria House" to listen to the demands of the workers for increased wages. A great offence, Sir!

I have on my right, Sir, Janab Abdul Halim, a Member of this House. He was in detention for a large number of years and what were the charges against him? Quite a number of charges! Unfortunately all of them except

two refer to the period of British rule. The charges after the British rule are that in August 1949 he was reported to be working in Calcutta in collaboration with other Muslim members of the Communist Party. I cannot understand, Sir, how it can be called "subversive activity".

In July, 1950, he was charged to have regular contact with the detenus in jail. That does not speak highly of the vigilance of the jail people.

And there was another charge "that you advocated launching of 'Tebhaga' agitation for a mass agrarian movement in 1947. In 1948 the Hon'ble Mr. Kalipada Mookerjee announced in a public meeting that "Tebhaga" would be granted. Earlier Dr. Prafulla Chandra Ghosh had said that. In November, 1949, the Chief Minister Dr. Roy himself said that it would be granted. It seems, Sir, that when Ministers speak of these things it is alright, but when a Kisan leader speaks of it it is an offence. The other charges, Sir, are wonderful. Between 1923 and 1947 he is charged again and again with having tried to overthrow the British Rule. What a grave offence!

Similar charges are there against Ganesh Ghosh of Chittagong Armoury Raid fame. The charge against Ganesh Lal Subba was that in 1946 he went into a recruiting office and tried to dissuade the Gurkhas from going to join the army in Malay. A very bad thing it seems! But the present Prime Minister Pandit Jawaharlal Nehru had earlier said that he had every sympathy with the freedom fighters in other lands yet when Ganesh Lal Subba dared to give practical expression to what the Prime Minister Pandit Jawaharlal Nehru himself had preached, well, that formed a charge against him after, technically indeed, the British Rule had ended.

Reference was made also, Sir, to the R. C. P. I. Here is a charge-sheet against one Mr. Mukti

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Dev Chatterjee. Certain papers were found in his house and he was arrested on the 18th April, 1950, in Singur in Hooghly and placed before a court of law and convicted and sentenced to three months' rigorous imprisonment on 16th August, 1950. Well, if a man is caught doing something which is not lawful he is convicted. That is understandable. But what happened in this case was that when he was released he was arrested again and the reason given is, "look here, there is every likelihood that after release from Hooghly Jail you may revert to anti-social and subversive activities within the Sadar Subdivision for furtherance of your party's ends". Now, Sir, if a man is brought before a court of law for the commission of an offence he is convicted. But to say that he will go on doing the same thing even after release and so he must be kept under detention for ever is not justice. Therefore he was not released and he was kept in jail for years and years.

In another case it is even more fantastic. One Mukshed Ali was arrested and the charge against him was wonderful, namely, that "in or about April, 1950, you under instructions of the party leader Sri Saumendranath Tagore came in close contact with the "Bombarding Party" with the object of procuring firearms, &c. Now, Sir, Sri Saumendranath Tagore had been released by the present Government or rather by the Chief Minister, who was also the Chief Minister in 1948 and he had completely dissociated himself from the activities of this particular group but the charge against this Mukshed Ali was that he was acting under instructions from Sri Saumendranath Tagore and he was shut in prison for a period of 2 or 3 years while Mr. Saumendranath Tagore, who was alleged to be the instigator, was going about quite free. Now the whole thing is fantastic I should say but it is there in the charge-sheet. Of

course they have all been since released as a result of tremendous public agitation.

It was said on the other side of the House that some members of the R. C. P. I. Party had associated themselves with the Dum Dum Raiders and that therefore there was no ground for releasing them. Two of these men whose names I have mentioned were members of that party. Now, Sir, may I enquire, if that argument holds good why should not the Hon'ble Minister who is sitting in front of me, who to my knowledge certainly did help the escape of one political prisoner—that was many years ago—not now—be put in jail under the Preventive Detention Act, I mean the Hon'ble Kalipada Mookerjee. There is also now present a member of this House who was also associated with shooting incidents and whom the Governor has been pleased to nominate as a member of this House. If these persons can come to this House as members or Ministers how fantastic it would be to accuse a person of a crime simply because he was a member of a particular Party and to detain him on grounds of suspicion. I am speaking on the basis of facts contained in the charge-sheets as submitted by the police. They have not given other charges. The question arises, Sir, is there any point in spending so much money on the police who waste their time in collecting these facts—it would be a libel on the word "fact" to say facts in this connection—in collecting these bogus facts and bogus statements and placing them before various persons, which leads to the detention of the innocent citizens of this State for two or three years.

I can multiply these instances to any extent if you like. I have got about 200 to 250 charge-sheets with me. I, as Chairman of the Civil Liberties Committee, have examined their cases and from time to time I have made representations on their behalf. I am glad to say that most of them have since been released but it was done under pressure of public opinion and I

hold that a tremendous amount of public money is wasted on the police who devote themselves to this kind of extremely senseless activity and fail to stop thefts, robberies, murders, etc. They should devote their attention more to the protection of the citizens, their lives and properties, than to bring up fantastic charges against them. Of course there is nothing surprising in that because for years they have been accustomed to do this particular kind of work. They are the same old men who burnt villages in Midnapore and shot people indiscriminately. It is regrettable that even in the new set-up they are continuing the activities for which they were meant and trained under the British rule.

[11-40—11-50 a.m.]

They think that in the Commonwealth in which the British King is still the head, the British methods should still go on. I shall now come to another aspect—

(At this stage the blue light was lit).

Sir, may I have a little more time?

Mr. Chairman: You had half an hour already. You can have a few minutes more.

Sj. K. P. Chattopadhyay: Sir, I want to state only facts. With regard to juvenile delinquents you are aware, Sir, that every year thousands of adolescent children are sent up before the juvenile courts. The arrangements made for looking after them are extremely inadequate, I may say practically non-existent. There is a house of detention in Calcutta where they stay under fairly wretched conditions. The officials are supposed to be Probation Officers, but they have never received any training. They should be given training. I am not saying that the thing should be closed down but the conditions should be improved. I am drawing the attention of the Chief Minister who is himself the Home Minister to this fact. There is only one Industrial School in Berhampore. The Reformatory

School has been sent to Hazaribagh. It is no longer in this Province. Well, Sir, if this large body of children are not cured of their delinquency, they will grow up and become criminals and they will mean extra cost to the State. The experiments carried out in the U. K., in the U. S. A. and also in the U. S. S. R., all agree on this point that delinquency is a thing that can be cured by social deconditioning and you will have to decondition these youthful delinquents. Very little is being done, Sir, in this direction. In Bombay something has been done; the conditions there are better than in Calcutta. I may say it is fairly wretched here.

I shall now deal with only one other aspect of the Budget, Township Planning. I had pointed out earlier that about 7 per cent. of the villagers only have more than 5 acres of land, and surplus cannot come from people, who are living from hand to mouth. We were told by one of the defenders on that side of the House that the inter-locking of the economies will be able to do that. Interlocking with whom, Sir? Hungry villagers with unemployed middle class persons? I do not think that it will create any surplus. From the Press statement of the Chief Minister in November 1951 printed in the pamphlet I find that he has placed a good deal of reliance on the Damodar and Mayurakshi Projects. The Report of the Fourth Estimates Committee of the Indian Parliament, the members of which are Government members, has been placed before Parliament. Recently I had occasion to go through it, although I am not a member. It deals with the running of the Damodar Project, the Hirakud Project and the Bhakra Project among others—we are not concerned with the latter two. But with regard to the Damodar Project, it is pointed out that the men in charge are none of them engineers. One is a Bio-chemist, another is an I.C.S., who may be considered by the Service as

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"*subjanta*", and the other is an economist and a lawyer; and practically no work was done for years, only about one-fourth of what was then scheduled to be done. But the expense has gone enormously high. Crores of rupees have been wasted. I fail to see Sir, how we can place much reliance on the results of such a scheme unless immediate changes are effected. I find that this Province has been contributing Rs. 4 crores in 1950-51, Rs. 6 crores in 1951-52 and the budgeted amount is now about Rs. 11 crores. I think, Sir, we should insist that the project should be run properly so that it may be useful. I do not know about the Mayurakshi Scheme, but I understand that it has resulted in the irrigation of a fairly large area. As I pointed out the other day, the production of a second crop will benefit more the owner and not the cultivators and labourers. In Birbhum the Report of the Indian Council of Agricultural Research shows that the cost of cultivation is over 33 per cent. of the gross produce. The labour of a man who cultivates the land himself is equivalent to the price of 27 per cent. of the produce. If therefore you give half he does not get his own labour charges or slightly more than that if we give him two-thirds of the crop. A fair division would be one-fourth to the owner; and it will be much better, Sir, to do away entirely with the system which tolerates cultivation by one and taking away of the crop by another, who has done nothing for it. It is not the Zamindari system alone but the Jotedari system also which has got to go. The State now get 3 per cent., zamindar 9 per cent. and jotedar 28 per cent. Our friend Sri Tarasankar Banerjee said that this would have been better, but since that cannot be done unless the middle classes are liquidated as in China, we cannot help it. I am afraid, Sir, he made a slight mistake. He is well-known as a writer of pictures of village-life and he is gifted with imagination. But in such matters

as these, Sir, one has to rely more on facts. He told us that he had got some light from Dr. Prafulla Chandra Ghosh when he visited Birbhum. May I refer him to the speeches and writings of another well-known Gandhite Sri Kumaraappa who has visited China and who says that there has not been any liquidation—it has produced wonderful results, and it has converted the country from a food deficit one into a food surplus one. I think, Sir, if we proceed on the lines which have been adopted in another Asiatic country and about which visitors are full of praise—we have one amongst us here on the floor of the House—we can solve a good deal of our problems about food supply and rural economy. The Government can start centres where plough cattle can be kept and offered on hire at cheap rate to poor peasants. Co-operative agriculture can be encouraged, not the co-operative system that was built up under British rule by lawyers and the few rich people, but a genuine co-operative movement of peasants and agricultural labourers. You will find them, Sir, not only in the country about which there seems to be a scare here, the U. S. S. R., but in Denmark, which is not a Leftist State by any chance, I had occasion to visit it in 1934, their co-operative scheme is world famous. If you organise village economy in this fashion, then only can you fight famine. Otherwise, Sir, the position is such that we will again and again have a recurrence of deficit in the matter of food supply, distress and suffering of the people. On these grounds, Sir, I consider this Budget to be unsatisfactory.

[11-50 a.m.—12 noon.]

Sj. Bankim Chandra Banerjee:

সভাপতি মহাশয়, মাননীয় বঙ্গবন্ধুগণ সকলেই এই বাজেটের ঘাটতির কথা বলেছেন। একটা কথা বলা হচ্ছে যে ঘাটতি দেখায় কেন? না, তাদের কাজ করবার প্রয়োজন হবে না বলে। কিন্তু একথা সত্য নয়। উন্নয়নমূলক কাজ করতে হলে টাকার দরকার হবে, তার জন্য ধার করতে হবে এবং তার ফলে বাজেটে ঘাটতিও হবে, মাননীয় মন্ত্রী মহাশয় তার "ডেট্ট-মেন্ট"এ বলেছেন এবং এই বাজেটেও

দেখছি—যে গত বৎসরের বাজেটে যে টাকা ধরা হয়েছিল বর্তমান বৎসরের বাজেটে সেচ ব্যবস্থার জন্য ১৬ লক্ষ টাকা, শিক্ষার খাতে ৪৯ লক্ষ টাকা, বিদ্যুৎ সরবরাহের জন্য ৬ লক্ষ টাকা, এবং “কমিউনিটি ডেভেলোপমেন্ট প্রজেক্ট”এর জন্য ৬১ লক্ষ টাকা বাড়িয়ে দেওয়া হয়েছে। আমি একজন ব্যবসাদার—আমি আমার ব্যবসাদারী দৃষ্টি-ভঙ্গী নিয়ে বলছি যে যদি কোন কারবার করতে হয় বড় করে এবং তাতে যদি নিজের টাকা না থাকে তাহলে টাকা ধার করা যেতে পারে। টাকা ধার করে কাবাব কবলে তাতে যে লাভ হবে তা থেকে সুদ দেওয়া হবে, আর দেনাও শোধ করতে হবে। তেমনি এই যে সমস্ত “প্রজেক্ট” করা হয়েছে তাতে টাকা ধার করতে হবে এবং তা থেকে লাভও করতে হবে।

Sj. Debendra Nath Sen:

অন্যকে ঠকাতেও হবে।

Sj. Bankim Chandra Banerjee:

সেটা আপনারা মনে করতে পারেন, কিন্তু সে কথা আমার মনে হয় না। বড় কাজ করতে গেলে টাকাব দরকার। এ কথা অস্বীকার করা যায় না। অবশ্য মাননীয় সদস্যদের কেউ বলেছেন আমাদের “এডুকেশন”এর জন্য টাকা দেওয়া দরকার, হাসপাতালের জন্য টাকা দেওয়া দরকার। যিনি যেটা সুবিধা মনে করেন ও ভাল বোঝেন, তিনি সেটা বলেছেন। কিন্তু আমি বলবো যে আমাদের ছেলেরা সব বোগা,—তাদের ঘি খাওয়ান দরকার। কিন্তু আমরা মাসে যা রোজগার করি—সেই টাকায় কি শূন্য ঘি কিনে আনবো, না অন্য সব ব্যবস্থা করে ঘি কিনে আনবো? আমাদের এত কাজ হয়েছে, যে তা করতে গেলে সমস্ত বন্দোবস্ত করার জন্য সেইভাবে টাকা দিতে হবে। আমাদের গভর্নমেন্টও তার ব্যবস্থা করছেন। বিরোধীদল যা-ই বলুন না কেন সরকার দেশের চারিদিকে অনেক গঠনমূলক কাজ করছেন। সেটা সকলেই দেখতে পান। কিন্তু তারা যদি মনে করেন তা দেখবো না, তাহলে কিছ্ বলবার নাই। এই রাস্তাঘাট দেখুন, হাসপাতাল দেখুন, স্কুল দেখুন, সব দিকেই কাজ হয়েছে—এই দেশেই মংগলের জন্য। আমাদের এই কমিউনিষ্ট ভাইবা আমাদের দেশের লোকদের খুব খেপাচ্ছেন এবং বলছেন গভর্নমেন্ট আমাদের মংগলের জন্য কি করেছেন, এই বলে লোকদের বোঝাচ্ছেন ও ক্ষেপিয়ে দিচ্ছেন। তারা শূন্য দেশের লোককে ভুল বোঝাচ্ছেন অথচ তারা নিজেরাও কোন কাজের কাজ করছেন না, একটা হৈ চৈ লাগিয়ে লোককে বোঝাতে চেষ্টা করছেন যে দেখো তোমাদের গভর্নমেন্ট তোমাদের জন্য কিছ্ করছেন না। কিন্তু আসলে তা নয়। গভর্নমেন্ট দেশের জন-সাধারণের মংগলের জন্য অনেক কিছ্ করছেন। কাজও হচ্ছে।

(“এ ভয়েস”: খুব কাজ হচ্ছে।)

আপনারা আজ বিরোধী দলে আছেন বলে এই সব কথা বলছেন। আজ যদি আপনারা এ দলে আসতেন, তাহলে ঐ সব গল্পে কথা বলতেন না। আমার বিশ্বাস দেশের উন্নতি করতে হলে নিশ্চয়ই

টাকা ধার করা দরকার। ঘাটতি বাজেট অবশ্য ঠিক ভবু দেশের উপকারের জন্য সেই ঘাটতি বাজেট নিয়ে কি ব্যবস্থা করতে হবে, তা আপনাদের স্থির করতে হবে। বিরোধী পক্ষের উদ্দেশ্য-প্রণোদিত আলোচনায় দেশের লোক আজ আর ভুল বুঝবে না। তারা বুঝতে শেয়েছে যে তাদের ভুল বোঝান হচ্ছে—এ বিষয়ে দেশের লোক আজ নিঃসন্দেহ। তাঁদের জানিয়ে রাখা দরকার তাঁরা যেন এই রকম ভুল আর না বোঝান।

গত কয়েক বছরে আমাদের গভর্নমেন্ট যা করেছেন এ সম্বন্ধে বিমত আছে জানি। কিছ্ যে গভর্নমেন্ট করেছেন সে বিষয়ে কেউ অস্বীকার করতে পারেন না। এই দেখুন আমাদের বাস। কিছ্দিন আগে কি আমরা জনিতম যে আমাদের দেশে নিজের বাস চলবে? অবশ্য তাতে কিছ্ বলবার আছে সাধারণের। আমি ব্যবসাদার লোক; আমি জানি এর কোন জায়গায় গলদ আছে। আমি মানি না যে সেটা পরিকল্পনার দোষ, এটা পরিচালনার দোষ। পরিকল্পনাটা মেনে নিতে হবে। ব্যবসায়ী সাধারণ একজন লোক এ বাস থেকে মাসে ৫।৭ হাজার টাকা রোজগার করে, অথচ আমাদের গভর্নমেন্ট কেন তা পারছেন না? নিশ্চয়ই কোথাও না কোথাও গলদ আছে। সে গলদ নিশ্চয়ই গভর্নমেন্ট বার করবেন। এটা যদি তাঁরা না পারেন, এতে যদি তাঁরা “ফেইলিয়র” হন; তাহলে বড় বড় পরিকল্পনার ব্যাপারে কি করে লোকে তাঁদের বিশ্বাস করবে।

(Sj. DEBENDRA NATH SEN:

ঠিক বলেছেন।)

তাই মনে হয় পরিকল্পনার দোষ নয়, পরিচালনার দোষেই ঐ রকম হচ্ছে। এটা সত্ত্বর শোধরান দরকার।

আমি শেষ করবার আগে আর একটা কথা বলে রাখি—সরকারের যে সমস্ত কাজ চালু আছে তা ঠিকভাবে চালু আছে কিনা তা দেখবার জন্য শেষ পর্যন্ত দেশের লোকও কাজে সংশ্লিষ্ট কর্ম-চারীদের সঙ্গে প্রতিনিধিদের এ বিষয়ে বিশেষ সহযোগিতা প্রয়োজন। বিরুদ্ধ পক্ষ লোকেরা এখানে যা ইচ্ছা বলুন তাতে কিছ্ আসে যায় না। কিন্তু বাইরে যেন তাদের কো-অপারেশন পাওয়া যায়। তারা বাইরের লোককে যেন জিম্মাবাদ করে ভুল না বোঝান। গভর্নমেন্ট যে সমস্ত ভাল কাজ করছেন, তাঁরা তার সহযোগিতা করণ এই আমার ইচ্ছা। আমার আর কিছ্ বলবার নাই।

Adjournment.

The Council was then adjourned at 12 noon till 9-30 a.m., Thursday, the 3rd July, 1952.

Members absent.

The following members were absent from the meeting held on 2nd July, 1952:—

- (1) Bose, Sj. Subodh Kumar.
- (2) Nahar, Sj. Bijoy Singh.
- (3) Roy, Sj. Surendra Kumar.

COUNCIL DEBATES

Thursday, 3rd July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 3rd July, 1952, at 9-30 a.m. being the tenth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[9-30—9-40 a.m.]

Reply of the Governor to the motion of thanks.

Mr. Chairman: Honourable members of the House, in reply to the motion of thanks sent by this House to His Excellency the Governor, the following reply has been received from him. I shall read it to you—

“Members of the Legislative Council,

I have received with great satisfaction the respectful expression of your thanks for the speech with which I have opened the present session of the Legislature.

H. C. MOOKERJEE,
Governor of West Bengal.”

The debate will now be resumed.

BUDGET FOR 1952-53.

General discussions (continuing from the 1st July, 1952).

Sj. Debendra Nath Sen: Mr. Chairman, Sir, I go direct into discussion of the food policy because a Government will be judged by its capacity to give food to the people. In this connection I will try to establish three things—firstly, that there is no deficit; there is no shortage in the supply of food in West Bengal; secondly,

the wastage involved is inordinate and does not arise out of the normal course of business but is deliberately maintained with a view to divert the money for other purposes, mainly political. Thirdly, the Food Minister of West Bengal is going to sabotage the Kidwai Plan.

Let me take the first point, that there is no food shortage. Sir, the Food Minister and I depend upon the same facts. I draw the facts he has supplied, and what do we find? We find that in West Bengal in 1950-51, and 1951-52 the total quantity of cereals available after deducting wastage of 10 per cent. for seed and other things is 36.35 lakh tons which, converted into maunds, comes roughly to about 10 crore maunds. What is the total population? It is also given by the Food Minister for that period. It is 2.48 crores. Up to this point both of us agree. But after that there is a difficulty, and we do not agree. There is no difference in the assessment of facts that are given—not that I am giving different facts and the Food Minister is giving another set of facts. We both depend on the same facts. But the difference is here. The Food Minister does not accept the internationally accepted standard of converting the total population into effective adult population. That is the difficulty. He will calculate the total requirement upon the basis of 2.48 crores. That is wrong. Just as you have deducted 10 per cent. for cereal wastage so there is a standard given of arriving at effective adult population out of the total population, and for that purpose you are to multiply the population by .8 and 2.48 multiplied by .8 comes to 2 crores. It is even less but I will take it at 2 crores. Then we have got these 10 crore maunds of rice available for an adult population of 2 crores. The average is 5 maunds per capita per year. It comes to half a seer per day for every person. From that point of view, I say that there is no shortage in West Bengal. I have not taken into consideration the food that we get from the Centre—I have not taken into consideration the stock that

we have—I have only depended upon the actual food production—facts given by the Food Minister. I expect a reply from him. I will arrive at the total or part of the total requirement from another aspect, from the Famine Commission Report. Here is that Report. It says that the standards advised by the Government of India for purposes of rationing and generally followed throughout India is one pound a day per adult. Subsequently, it says that it is generally assumed that the consumption of 100 persons of all ages is equivalent to that of eighty adults. So, if we accept 16 ounces as the standard accepted throughout India, then the total requirement or per capita requirement will be 80 per cent. of the 16 ounces, which is 12·8 or something ounces. For the total population I have taken 2·48—we multiply that by 12·6 or ·8 ounces and the total requirement comes to 9 crores 49 lakhs. The total production of rice is 10 crore maunds. Thus, we have got a surplus of 50 lakh maunds of rice according to the figures given by him. I maintain that this is the surplus every year created but which is concealed and diverted for other purposes. I accuse and charge the Food Minister of showing our stock for 1948-49 less by 50 lakh maunds of rice, and of showing our stock of 1949-50 by less than 58 lakh maunds of rice. It is in this way, calculating arithmetically, that this surplus arises and the Food Minister is concealing it. That is why, perhaps, he is not giving the stock position in maunds. This year also he has given it in money value. It is trying to deceive—it is a fraud—because you purchase at Rs. 12-12 per maund. Do you show the opening stock at that price? You sell at Rs. 17 per maund. Do you show the closing stock at that price? Do you accept the same standard for both the stocks? It is not said. That is how this fraud, this jugglery and this gambling is being perpetrated and every year 50 lakh maunds of rice is being taken away and the money is utilised for other purposes. Sir, look at the extent of this gambling.

In 1948-49 we incurred loss of Rs. 2 crores 70 lakhs in carrying on this business of buying and selling rice. In 1949-50 we incurred a loss of 2 crores 38 lakhs but in 1950-51 we have made a profit of Rs. 3 crores 90 lakhs. I will ask the Food Minister, how is he continuously showing loss to the tune of 2 crores 38 lakhs and then, suddenly at a jump in 1950-51, he shows a profit of about Rs. 4 crores.

[9-40—9-50 a.m.]

Either your calculations in previous years were wrong or your calculations for 1950-51 were wrong. Is it because of the exposure that we did and because of the criticisms that we levelled, particularly last year, that you were showing this profit in the transaction for the year 1950-51? I think there is something to be seriously looked into. In the Budget Estimate, the Food Minister gave that in 1950-51 there will be a loss of Rs. 96 lakhs. In the Revised Estimate, he said that there would be no loss but that there would be a profit to the tune of Rs. 2 crores. Then in the Actuals he says, "No, my profit has come to Rs. 4 crores" but in the previous year it was a loss of Rs. 2 crores and in 1948-49 it was also a loss of 2 crores and 70 lakhs of rupees. I want an explanation from him as to what is this due to, prices remaining the same. You have bought at the same price and you have sold at the same price as before. The quantities bought and the quantities sold almost remain the same. The management is the same. Then, how is it that from a deficit and a loss you have suddenly jumped into a profit and if you explain that, then the guilt will be proved, then the fraud will be proved, then the jugglery and gambling that is involved will all be revealed. I ask for an explanation from the Food Minister for these.

Sir, I take the second point and say that the wastage involved is enormous. The Hon'ble the Food Minister on a previous occasion said that we incur wastage of 2 per cent. which is gradually dwindling and his latest figure is not 2 per

[Sj. Debendra Nath Sen.]

cent., not even 1 per cent. but it is something less than 1 per cent. but I do not exactly remember the figure. (Sj. PRAFULLA CHANDRA SEN: It is .8 per cent.) I am very glad, Sir, that it is only .8 per cent. but he has deducted 10 per cent. from the total production. Why? Will he give an explanation for that? Then 9.2 per cent. is for seed and .8 is for wastage. Is that your calculation? I looked into the authorities to find out as to what percentage is to be deducted for purposes of seed, and the Famine Enquiry Commission report gives the figures and they say that the utmost that you can deduct for the purpose of seed is only 4 per cent. I will give him 5 per cent. but then the next 5 per cent. out of that 10 per cent. is wastage, and where is that money gone? Of course in these things I am not an arithmetician; I plead guilty to that charge; I do not know much of arithmetic but I can only say that arithmetic is not jugglery; neither it is gambling; it is a pure science and it does not admit of prostitution. I charge the Food Minister of playing fraud, and it has been a perjury upon this fair province of West Bengal.

Sir, I will take the third point, namely sabotaging the Kidwai Plan. In his reply on the last occasion he gave one answer to the points, which I brought out in this connection then, which were two. The main point in Kidwai's plan says that Calcutta and the industrial areas are to be cordoned off and the whole of West Bengal is to be made free, but that has not been implemented, and is not being implemented, and we do not know whether it is going to be implemented. The second point was that the Centre or rather Mr. Kidwai of the Central Government advised a reduction in the price of wheat by two rupees, which is not being done. The Food Minister here gave a reply to the second part. We may accept it; we may not accept it; I am not willing to accept it. But what about the first

part? Is he going to cordon Calcutta and the industrial areas, and make the whole of West Bengal free, and if he does not do that, why not? The facts show that there is no deficit. Mr. Kidwai comes; he also accepts those figures and his new policy is based on those facts and if our Food Minister does not accept that policy, if he still continues to maintain cordoning, maintain procurement, maintain the permit system, then for what purpose? He owes an explanation and that explanation I expect from him when he gives the reply.

Sir, I will take to the next point about General Administration and here I have got a serious charge to make. This Government and this Cabinet from its very inception has been trying to corrupt our men and women and everybody through nepotism, through the Civil Supplies Department, through the Food Department and all other departments but the High Court was left free. Last year we found that the Public Service Commission also had been touched. Democracy has developed two machineries for its protection. One is the Public Service Commission, and the other is the High Court. The Public Service Commission has been corrupted. This time I find that even the High Court is going to be touched. I will give facts.

Sj. Subodh Kumar Bose: On a Point of Order, Sir. The honourable member cannot refer to the High Court and the High Court Judges.

Mr. Chairman: I have not yet seen that the honourable member is making reflections on either the High Court or the High Court Judges. His criticisms so far have been of the Ministry and of the Government.

Sj. Debendra Nath Sen: I want to protect the prestige of the High Court, Sir, by my observations. An attempt is made not to keep it free. I do not like to say anything against the High Court. Recently, a news appeared in the press that the Chief Justice who has retired is going to be appointed as a Special

Officer by this Government. We have also got information that before this news came into the press the retired Chief Justice had on several occasions gone to the house of the Chief Minister. That is not only a fact but a material fact. There was a quarrel over the appointment of a Judge between the Chief Justice and the Chief Minister. The Chief Justice wanted one and the Chief Minister wanted another and he also was a Special Judge connected with that enquiry of N. C. Roy relating to that famous Birla Sales Tax Scandal. Now, Dr. Roy the Chief Minister wanted to compensate that Special Judge for the services he was doing as a Special Judge of that Enquiry Committee but the Chief Justice wanted another person. The dispute went over to Delhi. It was referred back here. Then, the then Governor Dr. Katju intervened and the nominee of the retired Chief Justice had to yield, and the Chief Justice also had to yield and now after that the Chief Justice is being offered this post.

[9-50—10 a.m.]

Sir, then that Special Judge of the enquiry has also become a Judge. Regarding the Sales Tax Tribunal there is one Judge who has been given a chance. So all the Judges connected with the High Court are now drafted into the services of the Government. That is a danger. All our Judges will perpetually be looking forward that after their retirement they will have a chance of further service under the Chief Minister or under the Government of West Bengal. In this way the High Court is going to be corrupted soon through the appointment of the Judges of the Tribunal. We have got 9 Judges of the Industrial Tribunals and most of the Judges always look forward for a secure service after retirement. That is a dangerous phenomenon and in the name of democracy I will appeal to everybody in this House to see that we are spared the spread of corruption into this department, into this arena which has been created

throughout the world for the preservation of democracy and is a bulwark against all sorts of corruption and high-handedness.

I will take up another aspect of the Budget and that is the factor relating to the cost of living index. Two sets of cost of living index are prepared and maintained by the Government of West Bengal—one set for the middle class and the other for the working classes. These are important because if there is a change in the index the working classes suffer. If there is a rise they will get an increased dearness allowance. If there is a decrease their dearness allowance will be cut. I have got letters from various employers stating that the cost of living index is going down and therefore they cannot pay their employees dearness allowance that they are paying at present. How is that index falling? I give you a picture. In June, July, August, 1951 the average was 384. In May this year the average is 339. So it has come down by about 45 points. I remember the Chief Minister arguing that the Ministers and Deputy Ministers should get higher wages because the cost of living index is increasing. If that argument is true how then is it a fact that the Government are showing a gradual fall in the cost of living index. It is not an exploitation which the employer is doing—he does it latently. As an employer he is not hiding it. We can check it. But here is an exploitation which is being done by the Government by falsely preparing a set of cost of living index which every day is hitting us and is bringing down incomes of the labouring class in West Bengal. This is a serious thing and I do not know what is the rectification. Will the Labour Minister and the Chief Minister look into it? Will they set up an enquiry committee to see whether the downward tendency in the index is there or not? Throughout India there is no such tendency, nor in our actual life do we find price of anything going down. The price of the two important articles of rice or of fish has not gone down. How is it that

[Sj. Debendra Nath Sen.]

it is maintained by the Government of West Bengal that there is a continuous downward trend in the cost of living index?

I now come to the question of the bus. It is a State-owned enterprise. There is a nationalisation to an extent and on the success of this venture depends our success of scope of expansion of the State enterprise into other directions. But that department is continuously showing a deficit and a loss. This year the loss is to the tune of 20 lakhs. We have got sale proceeds from tickets to the tune of 53 lakhs. I find a spokesman of that department is already carrying on propaganda that the travelling public is not paying—and that the employees are stealing. I deny both the charges. I say it is an attempt to shift the blame on to the shoulder of the general public. What does the 53 lakhs show? Roughly, we have 236 buses and the effective buses that run is only 150. That means every bus earns annually Rs. 35,000. If we have got Rs. 53 lakhs and if the average price paid by a man is only two annas, then about 4 crores of people have travelled that year by State buses. Is that a negligible figure? They have not only travelled but they have paid for their journey. Can we accuse them of not having paid—or can we accuse the employees of not having collected money and not having deposited it. Our sale proceeds are at par with the sale proceeds of Bombay but in Bombay they have got 500 buses and the number of employees is greater. We have got here less number of buses, and less number of employees and yet we have the sale proceeds at par with Bombay and yet Bombay makes a net profit of 19 lakhs and we have made here a net loss of 20 lakhs. It is a serious phenomenon. It is a deliberate attempt on the part of Government to show that the State enterprise is not a success. Yesterday a business friend of ours, who is a member of this Council, referred to that. He stated that the Government must run it as a

business, and if they cannot run it, it must be given over to the private businessmen. Is that the policy which lies behind it—to show that the State enterprise cannot carry on and therefore all the talk of nationalisation is a myth? I would like to have a reply from the Treasury benches on this point also.

The Chief Minister is reported to have said—not in this House—I have got it through the newspapers—that he is feeling new life every day. He is permitted to do that. But we in Bengal suffer every day from hunger, starvation and unemployment. If we do not feel new life every day we cannot be accused on that score.

With these words, Sir, I conclude my speech.

Mr. Chairman: I wish to bring to the notice of the honourable members that over twenty of them have expressed a desire to speak in this connection. If we proceed in this fashion it might take us three more days to finish our discussion on the Budget Estimates. I would therefore request members—unless some of them wish to forego their right to speak—kindly to be brief and speak to the point and avoid repetition of arguments which have been put forward before.

[10—10-10 a.m.]

Sj. Ajoy Kumar Mukherjee:

মিস্টার চেয়ারম্যান স্যার, পরলা তারিখে মাননীয় সদস্য শ্রীঅমদাপ্রসাদ চৌধুরী বাজেট আলোচনা কালে সেচ্ বিভাগ সম্পর্কে বলেছিলেন যে বাজেট পাস হ'তে যে সময় লাগে, তারপর সেই বরাদ্দটা মধ্যম্বলে ফিল্ড ট্রাকের কাছে পৌঁছাতে এত দেরী হয় যে তখন আর মাটি কাটার সময় থাকে না। এজন্য খুব অসুবিধা পড়তে হয়। আমি আইন সভায় আসার আগের থেকে এজিনিষটা লক্ষ্য করেছি। সম্পর্কে আমি গুর সঙ্গো একমত যে এতে কাজের সতিাই অসুবিধা হয়। তবে কি করা যায়—সেটা ভেবে দেখতে হবে। আমি মাননীয় সদস্যকে অনুরোধ করবো তিনি যদি দয়া করে এসম্বন্ধে আমার সঙ্গো আলোচনা করেন, তাহলে খুসী হব। এছাড়া তিনি একসময় ফাইন্যান্স মিনিষ্টার ছিলেন, তাঁর যে অমূল্য অভিজ্ঞতা আছে, আমি তার সুযোগ নিতে চাই।

তিনি পরলা যে পরামর্শ দিয়েছিলেন “ফাইন্যান্সিয়াল ইয়ার”এর সময়টা পরিবর্তন করে দেওয়া হোক—, সেটা নির্ধল ভারতীয় ব্যাপার;

এটা আমার একলা সেচ বিভাগের দ্বারা যে সম্ভব নয়—তা তিনি বলেছিলেন এবং বক্তৃতায় বলেছিলেন যে হ্যাঁ, অসুবিধা আছে।

তিনি আর একটা কথা বলেছিলেন, যে বাজেটটা ফেরারীর মাঝামাঝি তৈরী হয়, সেটা সংশ্লিষ্ট কর্মচারীদের নিকট পাঠিয়ে দেওয়া হোক এবং বাজেট পাস হওয়ার পরে টেলিগ্রাম করে কাজ করতে বলা হোক। তিনি ফিল্ড-স্টাফ বলতে কি বোঝাতে চেয়েছেন, তা ধরতে পারি নি। বাজেট পাস হয়ে গেলে তা চীফ ইন্জিনিয়ার, সুপারিন্টেন্ডিং ইন্জিনিয়ারকে জানান, সুপারিন্টেন্ডিং ইন্জিনিয়ার আবার সেটা এক্সিকিউটিভ ইন্জিনিয়ারকে জানান। এই এক্সিকিউটিভ ইন্জিনিয়ারই টেন্ডার কল করেন এবং টেন্ডার “এক্সপেক্টেড” হ’লে পর কন্ট্রাক্ট হয়ে কাজ আরম্ভ হয়। এখন বাজেট পাস হবার আগে আমরা টেন্ডার কল করতে পারি না। তিনি যেটা “সাজেস্ট” করেছেন ভাত্রে এটুকু হতে পারে যে টেন্ডার কল করার আয়োজন করতে কাগজপত্র তৈরী করতে যে দশ-পনের দিন সময় লাগে সেই কাজটা যদি তারা আগে থাকতে করে রেখে দেন, তাহলে ঐ ১০।১৫ দিন সময়টা বাঁচান যেতে পারে।

(Sj. ANNADA PROSAD CHOUDHURI : দেড় মাস।)

তা হয়ত হতে পারে। কিন্তু আমি শুনেছি আমার ডিপার্টমেন্ট বলেছে ১০।১৫ দিন। সেই সময়টা যাতে বাঁচাতে পার যায়, সেটা আমি চেষ্টা করবো। এসম্বন্ধে গুরু যদি আর কোন পরামর্শ থাকে, তাহলে আমি সানন্দে তা গ্রহণ করবো।

Sj. Durga Kinkar Bhattacharjee:

Mr. Chairman, Sir, it gives me no pleasure whatsoever to review the Budget which is placed before this House, which to speak the least, is the most unbalanced and unimaginative. A simple scrutiny of the figures will convince anybody that the allocations under different Heads have been absolutely indiscreet and arbitrary. A substantial amount of money has been earmarked for different development projects but there is no well-thought-out and integrated scheme for the elimination of the one hundred and one ills from which the people of this truncated province have been suffering. These development projects are too many and the Government have got no suitable machinery in order to translate these schemes into realities. There is every apprehension that these schemes, lacking in co-ordination, will end in a wild goose chase, and result in a colossal wastage of the State exchequer.

Sir, our Hon'ble Chief Minister has waxed eloquent over these

development projects but I would ask him how he has by-passed the claim of education as being the most vital project of a nation. As the Budget will reveal, our Hon'ble Chief Minister has not taken up the cause of education and educators with the sympathy, earnestness and vision which might legitimately be expected of the head of a State administration. Sir, in spite of all the glee and self-complacent talks about development, unless the provision under the head “Education” is thoroughly modified, unless a complete change is effected in the educational policies of the Government and in the condition of the teachers, the present day trends in the sphere of education will be a menace and catastrophe, awfully destructive of the culture and national life of the country as a whole. The Government would do well not to ignore the writing on the wall and to make necessary modification in the allocations according to the revised order of importance while there is still time.

Now, Sir, I will enter into the details of the Budget provision under the Head “Education”. A very careless perusal will show that the attitude of the Government towards education and towards the condition of the teachers is lacking in vision and imagination. It was expected and reasonably expected that free and compulsory primary education will be introduced and a substantial amount of money will be earmarked for the purpose. In the Budget there is no such provision whatsoever. Sir, if the masses are steeped in illiteracy and ignorance, democracy becomes a meaningless political creed. I would ask, whether the present Government likes to keep the masses eternally in the abysmal depth of ignorance and illiteracy and to profit thereby? Secondly, Sir, an analysis of the Budget will show that the legacies of the British administration are still vitiating our educational structure. The same kind of invidious distinction between the so-called Government institutions and non-Government institutions is being assiduously maintained by our present

[Sj. Durga Kinkar Bhattacharjee.] [10-10—10-20 a.m.]

Government and for the upkeep of the few so called Government institutions a substantial amount of money has been kept separate, completely neglecting non-Government institutions which cater to an overwhelmingly greater number of students. For the Government institutions there is a provision for Rs. 35 lakhs 95 thousand whereas the non-Government institutions will get a poor subsidy of, say, only Rs. 8 lakhs and odd. Now, Sir, if the Government is a national Government I would like to submit that "Government institution" is a misnomer and non-Government institution should rank with "Government institution". Besides, the allocations under different heads for the non-Government institutions are shockingly meagre, particularly in the present circumstances when private schools and colleges are going to be closed on account of paucity of funds. Thirdly, Sir, about the lot of the teachers. Who does not know how hopeless and miserable are the conditions of the teachers in these days, how bleak and barren are their prospects? From time to time many sermons and homilies have been inflicted on the dignity of our profession but as the Radhakrishnan Report goes, in an age of hoarding money and profit motive it is vain to expect that the teachers alone should rise above the spirit of the times. Quite true. Unfortunately, here also our Hon'ble Chief Minister has failed to rise equal to the requirements of the situation. The other day he pleaded very gallantly for enhancement of the salaries of Ministers and Deputy Ministers on account of the steadily mounting cost of living, but he has conveniently forgotten this very fact in the case of the teachers, the makers of these Ministers and Deputy Ministers. While appreciating and welcoming that there is a provision of Rs. 5 lakhs for the enhancement of the Dearness Allowance of the primary teachers I find that there is no such provision whatsoever for the secondary school teachers and for the college teachers.

Sir, just think of it how preposterous it is that whereas the cost of living has gone up by 400 per cent., the Government propose to continue with an air of condescension the beggarly pittance of Rs. 5 and Rs. 10 only in the case of school teachers and college teachers respectively. Nothing can be a more cruel joke. There should have been provision for the enhancement of Dearness Allowance to secondary school teachers, college teachers and private teachers at a uniform rate. I am fully aware, Sir, that our State exchequer is not elastic enough to be able to spend under head Education what other countries are doing—say, for example, England where it is 52 per cent. or America where it is 59 per cent., and so on. But I find no reason whatsoever why the West Bengal Government should not be spending the same percentage as other sister States of this country have been doing. In Bombay it is near about 20 per cent., in Madras it is near about 18 per cent., and I do not understand why it should be the lowest in our country. Certainly, Sir, that chronic plea of paucity of funds is not acceptable. Money will not be lacking if the Government do not lack in integrity, sense of justice and fair play. Certainly, Sir, the provision under the General Administration and Police may be slashed for the sake of Education because if the masses are educated, I feel, Law and Order can take care of itself. Then, again, our legitimate share in the income-tax and jute duty which would be realised from the Centre should be allocated under the head Education, and even if required, Education taxes must be levied on the people who can afford to pay. From all these aspects, particularly, provision under the head Education is very unsatisfactory.

With these words I resume my seat.

Sjkta. Labanya Prova Dutt:
Mr. Chairman, Sir, as I was listening to some of the criticisms

made by the members of the Opposition on the Budget, I could not help feeling that it is more easy to criticise than to give concrete suggestions. Our friends on the opposite side choose to forget the fact that West Bengal is passing through a very critical time, nor do they realise that patience is necessary to wait for the results of the plans that are being carried out by Government. It may be that it has happened in the past that promises had been made and, owing to adverse circumstances, not always been fulfilled. But is it not more desirable to look to the bright side of the things instead of taking a gloomy view and have hopes for a better future? West Bengal has rightly been called a problem province. Her problems unlike those of other States are so varied and so complicated that we should not grudge her the number of Ministers and Deputy Ministers. Let us put our trust and our confidence in the persons who are put at the helm of affairs. We must give them sufficient time to justify their position. We should look forward to the workings of the various departments, having co-operation and co-ordination among them, so that the Government may work smoothly like a well-oiled machine. I find that it is a human weakness innate in us to think that we can solve problems more efficiently and quickly than others. But when problems are difficult and the task heavy, is it not essential that we should have a little more patience? I want to mention one instance here. Take the State transport. So long as the Government did not increase the number of buses it was severely criticised in the press and on the platform that Government did not have any sympathy for the hardship of the travelling public. And now when Government is running the buses at a loss, it is again criticised that Government is playing ducks and drakes with public money. Let us not forget that though the buses are being run at a loss, it is to benefit the public. The Government is not out to make money out of the State transport

service. And suppose the Government were to close down the service to cut down its losses, I leave it to the imagination of my friends on the other side of the House what would happen to the travelling public during the rush hours. Let us remember that Rome was not built in a day, that the various projects undertaken by Government will require time to materialise. In the circumstances will it not be better to defer our criticisms to a later date? If we are really concerned with the welfare of our State, let us offer our sincere and hearty co-operation in the nation-building works that the Government has undertaken to carry out.

Janab Abdul Halim:

মাননীয় চেয়ারম্যান, স্যার! মাননীয় প্রধানমন্ত্রী-মহোদয় যে বাজেট পেশ করেছেন তাতে বিভিন্ন বিভাগে, যেমন "জেনারেল এডমিনিস্ট্রেশন্" জেল, পুলিশ, শিক্ষা, মেডিকেল, জনস্বাস্থ্য সম্পর্কে যে বরাদ্দ হয়েছে সেই দফাগুলি দেখে বিচার করলে চোখে পড়ে ব্রিটিশ আমলের জনস্বার্থবিরোধী ঔপনিবেশিক বাজেটের সাথে এই বাজেটের কোন পার্থক্য নেই। জনগণের স্বার্থের প্রতি, কৃষক-শ্রমিক, মধ্যবিত্ত কেরাণীর স্বার্থের প্রতি সেই একই রকম আমলাতান্ত্রিক অবহেলা, এবং সেই একই রকম উদ্দেশ্যে এই বাজেটে সব চেয়ে বেশী বরাদ্দ করা হয়েছে পুলিশের খাতে ৬ কোটি ৫ লক্ষ টাকা অর্থাৎ রাজস্ব হিসাবের মোট ব্যয় বরাদ্দের ২৪ পার সেন্ট, অন্যান্য ডিপার্টমেন্টের খাতে যে লঙ্কায়িত অর্থ আছে সেই ব্যয় ধরলে পুলিশের ব্যয় ৭৭ কোটি টাকা হবে।

আমলাতান্ত্রিক রাষ্ট্রের শাসনযন্ত্র পুলিশ, জেল এবং "জেনারেল এডমিনিস্ট্রেশন্" বিভাগের ব্যয় একত্ব ধবলে এবং "সোস্যাল সার্ভিস"এর ব্যয়ের সাথে তুলনা করলে আমরা এই ছবি দেখি—

বুরোক্রাসী—১১ কোটি ৯ লক্ষ টাকা।

সোস্যাল সার্ভিসেস্—১০ কোটি ৪ লক্ষ টাকা।

শিল্প—৮০ লক্ষ টাকা।

কৃষি—২ কোটি ২৫ লক্ষ।

শিক্ষা—৩ কোটি ৯৯ লক্ষ।

এ থেকে দেখা যাবে যে নিরাপত্তা এবং সোস্যাল সার্ভিসের ব্যয়ের মধ্যে একটা মিথ্যা সমতা দেখাবার চেষ্টা হয়েছে। আসলে এরকম কোন সমতা বা নিকট-সমতাও নেই। সিকিউরিটি ব্যয়ের পরিমাণ রাজস্ব খাতের ব্যয়ের প্রায় এক-তৃতীয়াংশ। ছোট শিল্প খাতে ব্যয়ের পরিমাণ ১-২ পার সেন্ট, ব্রিটিশ পুঁজি জাতীয় শিল্পকে ধ্বংস করেছে এবং পরনির্ভর-শীল শিল্প স্থাপন করেছে—সেখানে শুল্ক আমেরিকার ও ব্রিটেনের স্বার্থে কাঁচা মাল ও প্যাকেজিংএর মাল তৈরী হয়। জাতীয় শিল্পের জন্য বাজেটে শুল্ক ১-২ পার সেন্ট সাহায্য দেওয়া হয়েছে।

[Janab Abdul Halim.]

এই হচ্ছে আমাদের “ওয়েলফেয়ার স্টেট”এর প্রকৃত চেহারা। আসলে এটা “ওয়েলফেয়ার” রাষ্ট্র নয়, এটা পুলিশী রাষ্ট্র; কেননা দেশের জনসাধারণকে কিভাবে এই “ওয়েলফেয়ার স্টেট” শাসন করছে তার কয়েকটা নমুনা আমি আপনাদের সামনে দিচ্ছি। গত কয়েক বছরে এই পুলিশ স্টেট ১০৮ জন নরনারীকে হত্যা করেছে, জেলের মধ্যে গুলি করে আটক বন্দীদের হত্যা করেছে, কলিকাতার রাজপথে নারীদের হত্যা করেছে, শত শত লোককে গুলি ম্বারা জখম করেছে, ১০।১২ হাজার কৃষক, শ্রমিক, ছাত্র, কোণাণী ও রাজনৈতিক কর্মীদের গ্রেপ্তার করেছে, শত শত রাজনৈতিক কর্মীকে মিথ্যা অভিযোগে সিকিউরিটি ও নিবন্ধনমূলক আইনে জেলে আটকে রেখেছে। জনগণের আন্দোলনের চাপে পড়ে সম্প্রতি কয়েকজনকে এবং কিছুদিন আগে আমাকে তারা মৃত্তি দিয়েছে। কিন্তু এখনও ৫০।৬০ জন জেলে আটক রয়েছে রাষ্ট্রের নিরাপত্তার নামে; অথচ আমাদের মাননীয় প্রধানমন্ত্রী মহাশয় বলেছেন যে দেশে শান্তি ও শৃঙ্খলা ফিরে এসেছে এবং আমরা অবস্থা আয়ত্তের মধ্যে নিয়ে এসেছি। অথচ চোরাকারবারী, মনোহাফের অবধি সমাজের বৃকের উপর স্বাধীনভাবে ঘোরাকোরা কোরে দেশের জনসাধারণকে লুণ্ঠন করছে; তাদের শাস্তি দেবার জন্য, তাদের গ্রেপ্তারের জন্য পুলিশ কিছুই করে না। এই সব সমাজবিরোধীদের গ্রেপ্তারের জন্য পুলিশের নজর নেই। নরহত্যা, চুরি, ডাকাতি বন্ধ করার জন্য পুলিশ কিছুই করে না। অথচ সাধারণ মানুষ, শ্রমিক, কৃষক যখন তাদের অবস্থার উন্নতির জন্য আন্দোলন করে, সংঘবদ্ধ হয়ে সভাসমিতি করে, তখন রাষ্ট্রদ্রোহিতার নামে তাদের গুলি করে হত্যা করা হয়। এই হচ্ছে পুলিশী রাষ্ট্রের নমুনা। লক্ষ লক্ষ লোক আজ না খেয়ে মরছে, কিন্তু তারা যদি গভর্নমেন্টের কাছে খাবার পাওয়ার জন্য দরখাস্ত করে, নিবেদন জানায় তখন তাদের উপর জোর-জবরদস্তি কোরে গুলি চালিয়ে লাঠি চালিয়ে হত্যা করা হয়।

(Cries of shame, shame.)

[10-20—10-30 a.m.]

“আই, বি,” “এস্, বি,” বোলে একটা ডিপার্টমেন্ট আছে, এই গোয়েন্দা পুলিশ ব্রিটিশ আমলে সৃষ্ট হয়েছিল। ব্রিটিশরা এই গোয়েন্দা ডিপার্টমেন্ট তৈরী করেছিল—জনগণকে সায়ন্তা করবার জন্য, দেশের স্বাধীনতা আন্দোলনকে দমন করবার জন্য। এদের মিথ্যা রিপোর্ট হাজার হাজার দেশপ্রেমিক জেলে, বন্দীনিবাসে ও আন্দামানে প্রেরিত হয়েছিল। আজও সেই “আই, বি,” “এস্, বি,” গোয়েন্দা পুলিশ লোকের পিছনে ঘুরে ঘুরে মিথ্যা রিপোর্ট সংগ্রহ করে এবং সেই সব মিথ্যা রিপোর্টের উপরে শত শত রাজনৈতিক বন্দীদের বিনা বিচারে বছরের পর বছর আটক থাকতে হয়েছে। ব্রিটিশ আমলের শিক্ষাপ্রাপ্ত এই সব গোয়েন্দা পুলিশের মনোভাবের কোনই পরিবর্তন হয় নি। কি ভাবে মিথ্যা অভিযোগে রাজনৈতিক কর্মীদের বছরের পর বছর জেলে আটক থাকতে হয় তা আমাদের মাননীয় সদস্য শ্রীযুক্ত ক্ষিতীশপ্রসাদ চট্টোপাধ্যায় কালকে সর্বিস্থানে আপনাদের বলেছেন। এসম্পর্কে আমি এইটুকু বলতে চাই, এখানে আমি মাননীয় প্রধানমন্ত্রী মহাশয়কে জিজ্ঞাসা করি শান্তি ও শৃঙ্খলা এখন দেশে

কি করে এসেছে তখন অসংখ্য “আই, বি,” পুলিশ, ওয়াচার রেখে কেন তাদের মাহিনা দেওয়া হচ্ছে। সম্প্রতি নিরঞ্জন সেন, সরোজ মুখার্জী, প্রমোদ দাসগুপ্ত প্রমুখ রাজনৈতিক কর্মীরা জেলে থেকে বেরিয়েছেন। তাদের পিছনে কেন “আই, বি,” “এস্, বি,” “ওয়াচার” ঘুরছে। ৬৪নং লোয়ার সাকুলার রোডে এক ডজন পুলিশ দিনরাত বসে গুলুতানী করছে। সেখানে কি তাদের কাজ? তাহারা কি সেখানে বসে মিথ্যা রিপোর্ট সংগ্রহ করে? তারা দেশের কি কাজে লাগে? কোটি কোটি টাকা ব্যয় কোরে এই অপদার্থ পুলিশ পোষা হচ্ছে। অথচ সরকারের নিম্ন গ্রেডের পিওনার বেতন পায় মাগ্গী ভাতা সহ ৩৫ টাকা, লোয়ার গ্রেড কোরাণীরা ৮০ টাকা, অপর ডিভিশন কোরাণীরা ১৫০-১৬০ টাকা আর উচ্চদপস্থ সরকারী কর্মচারীরা ৩,৫০০ টাকা, সেক্রেটারী, জয়েন্ট সেক্রেটারী ২,৫০০ টাকা তাছাড়া এলাউন্স। আবার মন্ত্রী উপ-মন্ত্রীদের জন্য ত ব্যবস্থা হচ্ছে। আমাদের পুলিশী রাষ্ট্রের সাথে পূর্ব ইউরোপের দেশগুলির বাজেটের তুলনামূলক পার্থক্যের দিকে তাকালে দেখা যায় ১৯৫১ সালে চেকোস্লোভাকিয়ার সমগ্র বাজেটের ব্যয়ের হিসাব এইরূপ:—

জাতীয় অর্থনীতি—৫২ পার সেন্ট,

স্বাস্থ্য ও সমাজ কল্যাণ—১১ পার সেন্ট,

সংস্কৃতি ও শিক্ষা—১০ পার সেন্ট,

সিকিউরিটি—এক্সট্রানাল এন্ড ইন্টানাল—৯

পার সেন্ট।

রিলিফ—

বাজেটে মার্চ মাসে দুর্ভিক্ষ রিলিফ খরচের জন্য বরাদ্দ করা হয়েছিল ২৮ লক্ষ টাকা অর্থাৎ গভর্নমেন্টের টেঞ্জনারী ও প্রিণ্টিং এর জন্য যে ব্যয় হয় তার অর্ধেকের চেয়ে কিছু বেশী। এটাকে এখন অবশ্য ৬০ লক্ষ টাকা করা হয়েছে, অর্থাৎ প্রিণ্টিং ও টেঞ্জনারী বরাদ্দের ১।৫ ভাগ বেশী।

প্রত্যক্ষ বৃষ্টিশী অম্মলেব খবচের কাঠামো থেকে বর্তমান কংগ্রেসী রাষ্ট্রে কোন রকম বাস্তব পরিবর্তন হয় নাই।

১৯৪২ সালের মত অশান্তি ও গণ্ডগোলের বছরে সোশ্যাল সার্ভিস খাতে ব্যয়ের পরিমাণ ছিল—মোট রাজস্ব ব্যয়ের ১৪ পার সেন্ট, ১৯৪৬ সালে ১৬.৮ পার সেন্ট, বর্তমানে ১৩ পার সেন্ট; শিল্প-কৃষি ১৯৪২ সালে ছিল ৮.৬ পার সেন্ট, ১৯৪৬ সালে ৬.৪ পার সেন্ট ও বর্তমানে শূন্য ৪.৬ পার সেন্ট। দুর্ভিক্ষ রিলিফ ১৯৪৩ সালে ছিল ৭.৩ পার সেন্ট, ১৯৪৬ সালে ছিল ৭.১ পার সেন্ট, বর্তমান বছরে ১৯৪৩ সালের মত দুর্ভিক্ষের অবস্থায় মাত্র ১.৪ পার সেন্ট বরাদ্দ হয়েছে। দুর্ভিক্ষগ্রস্ত অঞ্চলে মানুষ অনাহারে মরছে, আর আমাদের ওয়েলফেয়ার স্টেটে বাজেট বরাদ্দ থেকে দেখতে পাচ্ছি বাস্ত্রের কর্ণধারগণ মোটা মাইনে পাচ্ছে। আমলাতান্ত্রিক শাসনের জন্য আমাদের ব্যয় ১৯৪৩ সালে ছিল ১৪.১ পার সেন্ট, আর বর্তমান বছরে ব্যয় হচ্ছে ১৪.৩ পার সেন্ট। ১৯৪৩ সালে আইন ও শৃঙ্খলার অবস্থা উন্নত ছিল। বর্তমান ১৯৫২ সালেও সম্পূর্ণ শান্তিপূর্ণ অবস্থা বিদ্যমান আছে। এটা গভর্নমেন্টও স্বীকার করেছেন। তা সত্ত্বেও আইন ও শৃঙ্খলার নামে পুলিশের ব্যয় বৃদ্ধি করা হয়েছে। প্রধানমন্ত্রী মহাশয় ঘোষণা করেছেন যে কতকগুলো প্রগতিমূলক খাতে ১৯৫২ সালের বাজেট

অবিভক্ত বাংলাকেও অতিক্রম করে গেছে। অবশ্য এর মধ্যে কিছুটা সত্য আছে। কিন্তু পুর্লিশ খাতে বার্য সর্বাপেক্ষা বেশী বেড়েছে। ১৯৪৬ সালের তুলনায় পুর্লিশের বার্য বাড়ান হয়েছে ১ কোটি ৩০ লক্ষ টাকা, শিক্ষা খাতে বাড়ান হয়েছে মাত্র ৯০ লক্ষ টাকা, মেডিকেল ও জনস্বাস্থ্য খাতে কেবলমাত্র ৭০ লক্ষ, শিল্পে কেবলমাত্র ২০ লক্ষ, দুর্ভিক্ষ সাহায্য খাতে ২ কোটি ৪ লক্ষ টাকা কমেছে।

গভর্নমেন্ট হয়ত এই দুর্ভিক্ষ রিলিফে বার্য সংকোচের জন্য সমালোচনার উত্তরে বলবেন যে স্থানচ্যুত বাস্তুহারাাদের জন্য অর্থ বার্য করা হয়েছে। কিন্তু এতে কারও মনে বিশেষ দাগ কাটবে না। আসলে পশ্চিম বাংলা গভর্নমেন্ট বর্তমান রাজস্ব থেকে মাত্র ৩৭ লক্ষ টাকা বাস্তুহারাাদের জন্য বার্য করছেন। ১৯৫২ সালে বাজেটভুক্ত ৩ কোটি ২২ লক্ষ টাকা কেন্দ্রীয় সরকার থেকে সংগ্রহ করতে হবে। স্থানচ্যুত ব্যক্তিদের জন্য মোট বার্য ৩ কোটি ৫ লক্ষ টাকা, ১৯৪৪-৪৫ সালে দুর্ভিক্ষ রিলিফের জন্য যে টাকা বার্য হয়েছে—তার সমান। এই বিশ্লেষণ থেকে বোঝা যাবে যে বাজেট বার্য আগেকার মতই দারিদ্র্য, দুঃস্থ, বিপদ ও পরাধীনতাকে জিইয়ে রাখার যন্ত্ররূপে ব্যবহৃত হচ্ছে। অর্থনৈতিক শ্রীবৃদ্ধির জন্য সাধারণ মানবের সুখ স্বাচ্ছন্দ্যের জন্য, সমাজ-কল্যাণের জন্য বাজেট বার্যকে কাজে লাগান হচ্ছে না। এখানে ওখানে যে সামান্য পরিবর্তন করা হয়েছে তা মূলতঃ সাম্রাজ্যবাদী ঔপনিবেশিক বাজেটের কাঠামোর মধ্যেই করা হয়েছে। ব্রিটিশ শাসকেরাও জনগণের চাপে পড়ে কিছু কিছু উন্নতির চেষ্টা করতে বাধ্য হতো। আমাদের কংগ্রেসী সরকারও সেই সাম্রাজ্যবাদী নীতিক্রমে অনুসরণ করে চলেছে।

বাজস্ব হিসাবের বিহীনতা মালটী-পাবপাস স্কীমেব জন্য—১৪ কোটি এবং মার্কিননিয়ন্ত্রিত কমিউনিটি প্রজেক্টের জন্য ৯ কোটি ৪০ লক্ষ টাকার কথা গভর্নমেন্ট উল্লেখ করছেন। কিন্তু এটা হচ্ছে দেনা করা অর্থ—এবং ঘাটতি খরচ। এই পরিকল্পনা দ্বারা জনসাধারণ লাভবান হোক বা না হোক—এটা বেশ পরিষ্কার যে জনসাধারণকে ভবিষ্যতে অতিরিক্ত করভার বহন করে এই ঋণ পরিশোধ করতে হবে। কিন্তু লোকের আয় সীমাবদ্ধ থাকবে। বিদ্যুৎ উৎপাদন ও সেচের সুবিধা হলে কৃষকেরা সেচের জন্য জল পাবে, ছোট ছোট মালিকেরা বিদ্যুৎ পাবে; অবশ্য যদি তাদের অধিক টাকাস্ দেবার সামর্থ্য থাকে। কিন্তু মূল নীতি হচ্ছে—“নো ট্যাক্স, নো ওয়াটার”। ইতিমধ্যেই বীরভূমের কৃষকদের উপর একরপতি ১০ টাকা ক্যানাল কর ধার্য করা হয়েছে। শতকরা ২৫ ভাগ লোক এই কর দিতে অক্ষম। কৃষকদের সেচের জল সরবরাহ করা হবে না বলে ভীতি প্রদর্শন করা হচ্ছে। এতে দেশের কৃষকেরা লাভবান হোক আর না হোক—বিশ্ব ব্যাংকের এক্সপার্টরা দামোদর ভালাী কর্পোরেশনের উপর কঠোর করবে—আমরা যদি অল্প ভবিষ্যতে এই মার্কিনী তদারককারীদের বিদায় করে দিতে চাই—তাহলে তারা আকাশ থেকে বোমাবর্ষন করে ওটা ধ্বংস করতে পারবে। যেমন তারা ইয়ালুর বিদ্যুৎকেন্দ্রের উপর বোমা নিক্ষেপ করছে।

তারপর কমিউনিটি প্রজেক্ট—এই স্কীমে আমেরিকার রোভিং তদারককারীদের অধীনে

অধিকাংশ জেলার কতকগুলো করে গ্রাম নিয়ে ব্লক বা পকেট তৈরী হবে। এর সুবিধার মধ্যে হবে মধ্যবিত্ত বাসিন্দাদের জন্য পনের শো টাকার মাদ-হাউস এবং রকের বাসিন্দাদের প্রতি ৬ জনের মধ্যে একজন গ্রামবাসীর ৭৫ টাকা “রিলিফ”। গ্রামের শ্রমিক-কারিকর বেকার হবে, চাষী-কুমার-কামার ক্ষেত মজুরের অবস্থার কোন উন্নতি হবে না। তাদের উন্নতি করার কোন সিদ্ধান্ত সরকারের নাই। কৃষকের হাতে জমি দেবার ব্যবস্থা কিংবা জমিদারী প্রথা উচ্ছেদের কোন ব্যবস্থা করা হয় নাই। আমাদের ডাম বা বাধের এবং বিদ্যুৎ সরবরাহকেন্দ্রের প্রয়োজন আছে অস্বীকার করা না এবং এগুলিই আমাদের চাই-ই। কিন্তু এরজন্য টাকাস্ এবং বিশেষী শ্রমের রাজনৈতিক শৃঙ্খলে আবদ্ধ হবার জন্য আমাদের কৃষকেরা কিছতেই উচ্চহারে কর দিতে রাজী হবে না এবং আমরা সেই মার্কিনী ভাবেদারদের এই পরিকল্পনা চাই না। কংগ্রেসী সরকারের কর্ণধারণ কলোনিয়াল বাজেটের প্যাটার্নকে বজায় রাখতে দুঃসংকল্প। তারা যে সুবিধান রচনা করেছেন—তাতে স্টেট বাজেটের পক্ষে একটা স্বতন্ত্র একোনমি নির্মাণ ও সামাজিক কল্যাণকর কাজে উন্নতি করার পক্ষে একটা বাধা সৃষ্টি হয়ে আছে। আমরা বুঝতে অক্ষম—পশ্চিম বাংলার বাজেট কেন ভারতবর্ষের সমস্ত ঔপনিবেশিক স্টেট বাজেটের চেয়ে সর্বাপেক্ষা বেশী ঔপনিবেশিক ধরণের হবে?

শিক্ষার জন্য বোম্বাই সরকার যেখানে ২৯ পার সেন্ট খরচ করেন, সেখানে পশ্চিম বাংলার সরকার খরচ করেন ৬ পার সেন্ট। বোম্বাই সরকার মাথাপিছু শিক্ষার জন্য সাড়ে তিন টাকা খরচ করেন, আর বাংলা দেশে—একটাকা না আনা খরচ হয়। শ্রমিকদের স্বার্থের জন্য বিশেষ কিছু ব্যবস্থা করা হয় নাই। পশ্চিম বাংলার ১০।১৫ লক্ষ শ্রমিকের উপর অমানুষিক শোষণ ও জুলুম চলছে। তাদের কাজ থেকে ছাটাই করা হচ্ছে। অথচ মালিক স্বার্থে ও মনোমুখ্য বৃদ্ধির জন্য সর্বপ্রকার চাপ দেওয়া হয়। শিল্পে শ্রমিক ও মালিকের বিরোধ ঘটিত মামলা নিষ্পত্তির জন্য গভর্নমেন্ট যে সমস্ত স্পেশাল ট্রাইবুনাল গঠন করেন, তাতে শ্রমিকের উপকার হয় না। দু’তিন বছর ধরে ট্রাইবুনালে মামলা জুলতে থাকে, তারপর শ্রমিকের বিরুদ্ধে “এ্যাওয়ার্ড” দেওয়া হয়। শ্রমিকদের অবস্থার উন্নতির জন্য সরকার শিল্পপতি ও কারখানার মালিকদের উপর কোন চাপ দেন না। পক্ষাতরে শ্রমিকগণ সংঘবদ্ধভাবে ইউনিয়ন গঠন করে দাবী-দাওয়া করতে অগ্রসর হলে, সরকার শ্রমিক আন্দোলন দমন করেন, স্বাধীন ট্রেড ইউনিয়ন গঠনে বাধা দেন।

সরকার পুর্লিশের বার্য কেন হ্রাস করবেন না? দেশে শান্তিপূর্ণ অবস্থা বিরাজ করছে। মাননীয় প্রধান মন্ত্রীমহাশয়ও স্বীকার করেছেন যে—আইন ও শৃঙ্খলার অবস্থা সম্পূর্ণভাবে আয়ত্তে এসেছে। এক্ষণি পুর্লিশ খাতের ২ কোটি টাকা কমান হোক। সাধারণ এড্‌নিমিস্ট্রেশন খাতে ৫০ লক্ষ টাকা বার্য হ্রাস করে ১৯৪৯ সালের পর্যায়ে নেওয়া হোক। সিভিল ওয়ার্কস্ খাতের ১ কোটি টাকা বার্য

[Janab Abdul Halim.]

বিতান হোক। এই অর্থ পুঁজি ব্যাংক—উৎপাদন সরকারী কর্মচারী ও মস্তাীদের গৃহ নির্মাণের জন্য ব্যয় হয়—এখন হয়তো উপমস্তাীদের জন্য হবে।

আপাততঃ এই টাকা দিয়া শিক্ষা, দুর্ভিক্ষ, রিলিফ, জনকল্যাণ ও জনস্বাস্থ্যের জন্য ব্যয় করা হোক।

আমি এই সম্পর্কে সরকারকে সাবধান করে দিই যে বলতে চাই—সরকার যদি জনস্বার্থবিরোধী এই বাজেট অনুযায়ী কাজ করেন, তা হ'লে জনগণ তা কিছুতেই বরদাস্ত করবে না। এই জনস্বার্থবিরোধী বাজেট পরিবর্তন করে—দেশের সাধারণ মানুষকে বাঁচাবার জন্য, তাদের খাওয়ানোর জন্য, দেশকে শান্তির সহিত ও সমৃদ্ধভাবে উন্নত করার জন্য—এই বাজেট পুনর্গঠিত করা হোক। এই বাজেটের ব্যয় বরাদ্দ পুনর্বিবেচনা এবং সম্পূর্ণ পরিবর্তন করা হোক।

আশা করি মাননীয় প্রধান মন্ত্রীমহাশয় আলোচনার শেষে এই সব প্রশ্নের উত্তর দিবেন। এই বলে আমার বক্তব্য শেষ করছি।

[10-30—10-40 a.m.]

Janab Shaikh Muhammad Jan:

Mr. Chairman, at the outset I must express my deep sense of regret for the unbecoming remarks made by some members on the other side charging the Food Minister with fraud and deception.

SJ. Debendra Nath Sen:
Rightly, rightly.

Janab Shaikh Muhammad Jan:

You may say that. Everyone has the right to disagree honestly and you must give credit for honesty and integrity to the other side also if you are honest.

SJ. Debendra Nath Sen:
Cent. per cent. dishonest.

Janab Shaikh Muhammad Jan:

I do not want interruptions—distortions of facts. One honourable member said that by granting 40 per cent. dearness allowance to the teachers the Government would have incurred a loss of Rs. 1 lakh. I have been told that by increasing by Rs. 10 per head the loss on that score would come to about Rs. 20 lakhs. Another honourable member said that by producing a deficit Budget Government wanted to show that development schemes cannot be undertaken. But I will show that development schemes have been undertaken even at the

risk of presenting a deficit Budget which is against the economic policy of the Government.

Then, Sir, coming to the Budget, I must say that I congratulate the Hon'ble Finance Minister for presenting Budget proposals especially relating to development schemes, economic projects and nation-building departments, such as Education, Sanitation and Irrigation, and this must be said to the credit of the Chief Minister, who is also the Finance Minister that it is due to his personal initiative and boldness that even at the risk of presenting a deficit Budget ample provision has been made for the nation-building departments. Now, the expenditure in the Budget, which is earmarked—Rs. 23.68 lakhs on account of this Government share of expenditure on Damodar Valley Project, Rs. 340 lakhs on Mayurakshi Project, Rs. 3 crores for the development of State roads, Rs. 1 crore for Kanchrapara area development scheme, Rs. 15 lakhs for building flats in Karaya, and so on, and so on. Even then our critics charged the Government of deliberately ignoring the welfare of the people. I must say that that is a bankruptcy of the appreciative capacity of the Opposition, or it may be that they realise what the Government is doing, but they have not the courage to acknowledge what the Government is doing. It seems that the Opposition members, whether they belong to the Communist Party or a communal party or Krishak Party, they are all combined to abuse and criticise the Government. As has been said by Sri Rajagopalachari in Madras, even if the Government accept all the suggestions of the Opposition, they will not support the Government; rather they will change their suggestions and their policies. As I said before, the Budget is a deficit Budget. The total deficit is Rs. 642 lakhs. By shifting of the opening balance of Rs. 260 lakhs, the year closes with a negative balance of Rs. 375 lakhs. This certainly presents a gloomy picture of the financial position of

the province, and as a businessman I cannot approve of this deficit Budget. There are two alternatives before the Chief Minister—either to cut the coat according to the cloth or to provide more cloth. If we had to cut the coat according to the cloth, naturally our development schemes should have been dropped, which I think nobody on this side of the House or on that side will approve of, because sufficient money has been spent on the development scheme and it would have gone to naught. The other alternative was to resort to fresh taxation, but our Chief Minister did not resort to that because of the unprecedented conditions prevailing in this province. People are half-starved, as we all know there is starvation, there is food shortage. Therefore he had no other alternative than to present this deficit Budget, and of course as a businessman, as I said before, I do not like it, but there is no other alternative. We hope the Fiscal Commission which is touring Bengal will make ample award from the Central funds, and I think the Hon'ble Chief Minister is to some extent banking upon this.

Sir, I support the Budget proposals and I should like to resume my seat.

Sj. Annada Prosad Choudhuri:

व्यापारी पुरा sale tax देगा तो घाटी नहीं रहेगा ।

[10.40—10.50 a.m.]

Sj. Mohitosh Rai Choudhuri:

Mr. Chairman, my task has been considerably lightened by some of my friends who spoke on the different aspects of the Budget on which I wanted to speak. Now, I am not one of those who think that this Government is a police Government or the State is a welfare State. It is neither a police Government, 16-annas police Government as we had in the days gone by, nor is it a welfare State; but on the contrary in their excessive anxiety to convert the police State into a welfare State, too many things have been

attempted at one and the same time. Dr. Roy is a man of extraordinary courage. In his anxiety to convert the State overnight into a welfare State he undertook many things without calculating the resources, human and material resources, which were available. The result is that there has been wastage all around. We have not yet forgotten the Chief Minister's ambitious project of underground railways. Yes, in many ways it was an ambitious scheme of course. He tried to introduce this railway for the good of this State but then he forgot the realities. Necessarily the State suffered heavy loss. Then he has undertaken State transport. That has been very good. But again we find that there is a huge wastage there. Now-a-days we find even those who run one or two buses make a great profit but what do we find here? Last year there was a heavy loss of about Rs. 20 lakhs; this year also Rs. 7 lakhs. Now, what does this mean? It means inefficiency. He did not take into consideration the human materials that were available, or unfortunately his choice of the human material was anything but happy. Apparently he took the help of men who did not know their business and there was also the top heavy administration. Possibly he thought that in order to get men who were noted for their efficiency he would have to pay them more. That is why we find in that department many persons, retired Government officials, or persons who were known for their efficiency; they were brought to this department on salaries which were really excessive. For this top heavy administration the working of State transport has been a failure. Sir, It is a huge failure! It is scandalous. If we look into the Budget minutely we shall find other sign of this hurry. In short, in his anxiety to do too many things, I repeat, he tried to bite more than he could swallow.

Sir, some of my friends have charged the Government with having the same spirit of bureaucratic administration as in days

[Sj. Mohitosh Rai Choudhuri.]

gone by. I think they are right. What I notice in connection with the present Government is this that they have not been able to inspire the public with any zeal or enthusiasm about them. During the brief period in which Dr. Prafulla Ghose had his Ministry here—Dr. Ghose I know had many failings. Our views were as poles asunder about the educational policy and educational scheme, but there was one thing in him which I cannot but admire. He was able to inspire the public with a feeling that his government was our own Government, that it was our own National Government. Unfortunately in spite of Dr. Roy's personality he has not been able to do that. He is making tremendous sacrifices, a man who used to earn about 20,000 or 25,000 per month, has been working practically for nothing. But unfortunately, Sir, owing to some difficulties which I cannot account for and which he must be aware of, he has allowed himself to be surrounded by men who have not been able to command any confidence of the country or to create in the minds of the people the feeling that the Government is their own. That is the difficulty.

Sir, there are many in the House who have criticised the Government for maintaining a much more costlier Police than before. Some of my friends have charged the Government with extravagance in connection with the household expenditure of the Governor. Now I think that, after all, even if these costly things were abandoned, we would not have got much money for our nation-building departments. But one thing is certain. If the costly paraphernalia of the Government House could be abandoned or be curtailed to some extent, some economy might be effected, for instance, the Governor has a Military Secretary. What is the use of a Military Secretary now? I find that on that Military Secretary about a lakh of rupees is being spent. Now our revered Governor, our revered

certainly does not require any Military Secretary. I would, therefore, respectfully suggest not so much as a measure of economy but as a gesture of goodwill to the public to hold an enquiry to see as to whether there could be any curtailment of the expenditure there. In the new set-up Military Secretaries are unnecessary. My friend Mr. Debendranath Mukherjee charged the Government with spending so much money for carpets. Of course, the figure was not very high. Rupees 10,000 or Rs. 15,000. (Sj. NIRMAL CHANDRA BHATTACHARYA: Rs. 17,000). But as a gesture of goodwill some portion of this could be easily curtailed. Therefore my suggestion is that in co-operation with the teacher-Governor, who certainly does not require these costly surroundings, the Chief Minister should hold an enquiry to see as to whether there could be any curtailment of the expenditure there.

Sir, some of my friends have charged the Government with maintaining a costlier Police. I am not unaware of the difficulties surrounding the Government as a result of the partition, for which the Congress Party was responsible, but then a part of this expenditure of about Rs. 6 crores on the Police ought to be borne by the Central Government because for this partition and its consequences a long frontier has got to be policed. For this partition, we the unfortunate people of West Bengal were not responsible (Sj. NARENDRA NATH BAGCHI: No voice was raised against it then). Certainly a voice was raised; no voice might have been raised from the Congress side; people in general were silenced, they had no opportunity to express their opinion. (Sj. NARENDRA NATH BAGCHI: What about the Gallop Poll?) However, this is another matter and partition has taken place. So the Central Government ought to come forward and bear a part of this expenditure. Dr. Roy who has tremendous influence over Pandit Nehru, the

Prime Minister of India, and others, should accept the suggestion and see if he can induce the Central Government to bear a part of this expenditure.

[10-50—11 a.m.]

Sir, I said before in his anxiety to attempt too many things Dr. Roy has met with failure. I now turn to deep-sea fishing. Dr. Roy must have been in this connection aware of the report of Dr. Hora. Of course the points urged by Dr. Hora were met by some Government officers. They pointed out that Dr. Hora was not perfectly right. However, there was this warning given by a man who had experience of deep-sea fishing and who worked for a long time in the Fisheries Department. But Dr. Roy thought that the possibility of deep-sea fishing was great and therefore in his anxiety to do good to the province he launched this costly adventure. The result is failure. Just as in the case of State transport so also here there is failure. In this way other instances of wastage can be quoted (Sj. DEBENDRANATH MUKHERJEE: By patronage.)

One of my friends has said just now "distribution of patronage". I do not know but I am aware that charges are being made of indulging in nepotism and patronage in connection with appointments in the State Transport Department. Dr. Roy is certainly aware of these charges and I would appeal to him to make an enquiry into the charges. Many things might happen and do happen, even in the best governed State many things happen of which the Chief Minister is not always aware. It is the duty of the Chief Minister, when things are brought to his notice, to hold an enquiry and to correct the mistakes or to check corruption if there is any. Speaking about corruption I am painfully reminded of the fact that corruption has not been checked in this State. Blackmarketers are flourishing without any effective step being taken by Government against them. Dr. Roy should look into this matter. As I told the House at the outset,

my task has been lightened. • Many of my friends have dwelt on the aspects of the Budget on which I wanted to speak, mainly on the educational side. Education is primary, secondary and University. On primary education I spoke at length. I need not waste time over it just now. You all know the meagre salaries paid to the primary school teachers. As I made the observation the other day, primary system is not being properly worked. There is a huge wastage there owing to wrong and muddle-headed policy followed by the Education Ministry some times in spite of the advice of the Education Directorate. The primary education system is a huge failure. Dr. Roy ought to take a lively interest in this matter and he ought to take the help of educationists who have been devoting long time and much of their energy to the study of this problem. There is huge wastage, as I say. There is one thing here Dr. Roy, in his allocation of money for the different items of the Budget, has forgotten. He has not made any appreciable provision for the enhancement of the salary or dearness allowance of any school teacher. Dr. Roy told me when I was granted an interview by him the other day that I might examine the Budget and find out how I could get money for education. He was anxious to provide more money for education. You can get enough money for education if you like. For primary education much more money can be got by cess re-valuation. The money which is being collected as education cess is very small as it has been based upon the old valuation of land. There ought to be cess re-valuation immediately. In the second place there is Education tax. It is not being properly collected. Sales tax was not properly collected but formerly when new machinery was set in motion the proceeds of the sales tax increased from Rs. 2 to Rs. 5 crores. I am certain if education tax is properly imposed and properly collected, there will be lots of money earned. We should

• [Sj. Mohitosh Rai Choudhuri.]

also see whether primary cess could be increased. As I told the House the other day, primary cess which is paid by an agricultural family does not exceed five annas a year. It should be examined whether the rates could be increased or not. Then there is huge wastage particularly on basic education. For each basic school about Rs. 40,000 is being spent. That is sheer waste.

Then there is another thing—you will find in the Budget that the huge structure called Hastings House is being acquired by the Government for the training and welfare of women. Fifty-five lady students have come out of this school which was started in the Hastings House. You will be surprised to hear that Rs. 4 lakhs used to be spent every year for that. Now about Rs. 20 lakhs are going to be spent for buying this House for turning out women teachers who are to spread basic education. Mahatma Gandhi would be turning in his grave if he sees these things. You know only about six weeks ago Mr. Sudhangshu in Bihar said that huge amount of money is being wasted there on basic education. Such is also the case here. One thing to which Government ought to devote most attention in the training of ordinary male teachers but there is nothing appreciable being done there.

(Here the red light was lit.)

Sir, I want one minute more. In order to find out the money I would lastly suggest, if necessary, after avoiding careless expenditure, Government should have the courage to impose one pice sales tax and earmark the whole amount for education. If we want the development of education we must be ready to make sacrifice. In short, for more money for education first, all measures must be taken to effect economy and then to curtail useless expenditure; then if necessary we must be prepared to impose new taxes and cesses and earmark the whole amount for education.

[11—11-10 a.m.]

Sjkta. Santi Das:

মাননীয় পরিষদপাল মহাশয়, আমাদের অর্থ-দপ্তরের ভারপ্রাপ্ত মন্ত্রী হিসেবে আমাদের মুখ্য-মন্ত্রী ১৯৫২-৫৩ সালের যে আয়বায়ের হিসেব আমাদের সম্মুখে দাখিল করেছেন, তা আপাত দৃষ্টিতে নৈরাশাজনক হলেও ভাবীকালের একটা কল্যাণ তাব ভেতর প্রত্যক্ষ করতে পারছি। নতুন করভাবে দেশবাসীকে জর্জরিত না করে বিভিন্ন উন্নয়নমূলক পবিকল্পনা তিনি গ্রহণ করেছেন। খাদ্যাভাবাক্রান্ত দুঃস্থদের উপকারের জন্য বাজেটে সুবিধা-সুযোগ ও আর্থিক সাহায্যের ব্যবস্থা করা হয়েছে। এর জন্য আমি তাঁকে আন্তরিক ধন্যবাদ জ্ঞাপন করছি।

জন-সংখ্যা বৃদ্ধি এবং পূর্বা পাকিস্তান থেকে পশ্চিম বঙ্গে লক্ষ লক্ষ লোকের আগমনহেতু আমাদের দেশ আজকে যে সকল কঠিন সমস্যার সম্মুখীন হয়েছে তার সমাধান ও আর্থিক সংকটের প্রতি-বিধানের জন্য আমাদের মুখ্যমন্ত্রী স্বয়ংসম্পূর্ণ জনপদ গঠন এবং নদী, রাস্তা প্রভৃতির উন্নতিসাধনকল্পে তাব দক্ষতা ও অনন্যসাধারণ কৃষ্ণাঙ্কমতা নিয়োজিত করেছেন। আমি মনে করি—তার প্রচেষ্টা সফল হবে এবং তিনি আমাদের দেশকে আরও সমৃদ্ধিশালী করে তুলতে পাববেন। বসিরহাট মহকুমার দুর্গত অঞ্চলে আমি নিজে পরিভ্রমণ করেছি এবং ক্ষুধিত আত্ম মানবের কবণ ত্রুদনধরী নিজের কানে শূনে এসেছি। এদের দুঃখদশা মেচনে সরকার অগ্রসর হয়েছে, বাজেটে আত্মত্যাগের জন্য তিনি যে অর্থ মঞ্জুর করেছেন এত আমি আনন্দিত; ক্ষুধিত মানবতার দাবী স্বীকার করে নিয়ে তিনি এবং তাব মন্ত্রিসম্মল জন-প্রতিনিধিগণ পবিত্র দিয়েছেন।

বাজেটে অন্য যে সমস্ত খণ্ডটানাট আয়বায়ের হিসাব আছে, তা সঙ্কটাত্মকভাবে আমি বলতে চাই না। কারণ আমি মনে করি তা শাসনকার্য। পবিচালনার মামলৌ বীতি মাত্র। প্রাক্তন অর্থমন্ত্রী শ্রীযুক্ত অরুণপ্রসাদ চৌধুরী মহাশয়ও ঐ পদে থাকলে হয়তো অন্যরূপ বাজেটই পেশ করতেন। এ প্রসঙ্গে আমি একটা বিষয়ের উল্লেখ করা প্রয়োজন বোধ করি। আমাদের দেশ আজ স্বাধীনতা অর্জন করেছে এবং আমাদের বাপ্ত্র আজ লোকায়ত্ত হয়েছে। কিন্তু এখনও আমাদের এই শাসনকার্য। পবিচালনার সঙ্গে জনসাধারণের কোন ঘনিষ্ঠ যোগাযোগ স্থাপিত হয় নি। শোষণমূলক বৈদেশিক শাসন ব্যবস্থার সঙ্গে জনসাধারণের যে সম্পর্ক ছিল স্বাধীন রাষ্ট্রের সঙ্গেও যদি সে সম্পর্কই বর্তমান থাকে তবে কোন উন্নয়নমূলক ব্যবস্থাই সার্থক হতে পারে না। আমাদের যে সমস্ত সমাজসেবকেরা রয়েছেন তাদের ত্যাগে ও আদর্শে দেশ স্বাধীন হয়েছে, তাদের আজ বিভিন্ন শাসনকার্যে নিয়োজিত করা উচিত। কারণ পূর্বেরকার শাসন ব্যবস্থার সঙ্গে ঘনিষ্ঠভাবে যারা জড়িত ছিলেন, সে সমস্ত কৃষ্ণ-চারীদের ব্যক্তিগত যোগ্যতা ও দক্ষতা থাকলেও আমরা মনে করি, দেশবাসীর আশা-আকাঙ্ক্ষার সঙ্গে তাদের পরিচয় এখনো নিবিড় হয়ে ওঠেনি। গতানুগতিক শাসনকার্যে তাঁরা দক্ষতার সঙ্গে চালিয়ে গেলেও গণসংযোগের কোন প্রত্যক্ষ অভিজ্ঞতা এখনো তাঁদের হয়নি বলে আমি মনে করি। সরকারের বিভিন্ন

বিভাগে নেতৃত্বে যোগ্যতাসম্পন্ন দৃঢ়চেতা সমাজ-সেবক ও দেশকর্মী যদি নিযুক্ত হন তবে তারা সরকারী দপ্তরকে জনসাধারণের নিজস্ব প্রতিষ্ঠান-রূপে গড়ে তুলতে পারবেন। আমাদের মুখ্যমন্ত্রী মহাশয় এবিষয়ে অবহিত হয়েছেন। তিনি বলেছেন গণসংযোগ রক্ষা করা আমাদের একান্ত প্রয়োজন। এটা খুব আনন্দের কথা। পরবশত লোপের জন্য যারা সর্বস্ব পণ করে সংগ্রাম করেছেন তারা সরকারী দপ্তরের কাজেও অনুরূপ যোগ্যতার পরিচয় দেবেন বলে আমি মনে করি ও বিশ্বাস করি।

Sj. R. S. Prosad: Mr. Chairman, Sir, I would, at the very outset, like to apologise for my inability to study the Budget provisions thoroughly in such a short time as has been given between the day of presentation of the Budget and that of discussions thereon. I hope also to be forgiven, Sir, as I would confine my suggestions and criticisms with respect to my district of Darjeeling only. Sir, I would not fail in my duty in advancing constructive suggestions with respect to my district as has been expected by the Hon'ble the Chief Minister the other day while presenting the Budget. I only hope that all my suggestions will meet with success.

Sir, the catastrophic landslide of 1950 is known to everybody in this province. The communication and economy of the hill areas suffered great damage and setback and have thereby shattered the financial position of both the Darjeeling Municipality and the Darjeeling District Board, roads, bridges, culverts belonging to the Darjeeling District Board and the Darjeeling Municipality including its electric undertaking were in many cases completely destroyed and in many cases seriously damaged. The estimates of damages of the Darjeeling Municipality and the District Board have been calculated to be Rs. 16 lakhs and Rs. 3 lakhs and 84 thousand respectively. I acknowledge with gratefulness the financial help the Government had given but for which both these institutions would not have succeeded in restoring some of their damages.

I must also thank the management of the several tea estates who

also have contributed a lot in repairing many of the District Board roads though mainly for their purposes as they are passing through their tea estates. But, Sir, this has by no means been sufficient. Most of the bridges, culverts and *ghoras* still remain to be repaired and any delay in doing so would not only deteriorate the damage already done resulting in the estimates to go higher and higher up but also would threaten the very existence of the town and many parts of the district. The Geologist report which is very alarming is not unknown to the Government. It is therefore high time, Sir, that the Government should come to the assistance of these 2 institutions to the extent of their full requirements if they want Darjeeling and the Darjeeling district to survive, and the assistance should come in the form of grant and not in the form of a loan.

[11-10—11-20 a.m.]

Finding the important road leading to Darjeeling and Kalimpong geologically unstable, I might remind the Hon'ble Chief Minister that we had waited in a deputation in Darjeeling on the Hon'ble the Prime Minister of India when Dr. Roy was also present. We had then emphasised the importance of having alternative routes to Darjeeling and Kalimpong. Dr. Roy had then informed that these schemes were very expensive and were under the consideration of the Government. May I know from Dr. Roy of further developments in the matter? The incidence of tuberculosis has become a problem in the whole province, but, Sir, it is worst in the Darjeeling district. The high incidence both in the urban and rural areas has reached an alarming stage. The existing facilities throughout the district for the prevention, early detection and treatment are by no means sufficient. Rapid expansion of these facilities is of urgent necessity in this district. I was glad to hear 2 days back that the B.C.G. inoculation team is going to tour the area of the Darjeeling Municipality.

[Sj. S. R. Prosad.]

It is of the utmost importance, Sir, that the inoculation is extended to the other rural and urban areas of the district. The expansion scheme of the Darjeeling Municipality T.B. Hospital is pending before Government. I therefore suggest that adequate provisions be made in the Budget for all these. A rural health organisation scheme was formulated and introduced in the district in the year 1942. This scheme was that of the Government, for the Darjeeling District Board was entrusted to run it with a fixed contribution from its side. According to this scheme there were about 14 centres in the whole district and each was in charge of a doctor, a health assistant and a *dai*; but medicine, so far as I remember, worth Rs. 300 or Rs. 400 a year for each centre has been provided. This sum, as you know, is ridiculously low and no real good can be done. Representations after representations have been made by the District Board for enhancement of the allotments of not only medicines but also of several other such inadequate provisions, but nothing has been done as yet. The life of this scheme was for 5 years only. Members of the staff, such as doctors, health assistants, *daus* and other clerical staff were accordingly recruited on temporary basis with the distinct understanding from the Government that in a permanent set-up the whole staff would be absorbed on a permanent basis. This has not yet happened even after the lapse of 10 years. What is the result? The result is that the staff is on temporary basis even now, and according to the existing rules they have been deprived even of the benefit of provident fund contribution. There is thus nothing for them to look forward for their future. Many of them run the risk of being chucked from their service, being not absorbed in the Government service, that is in the health centres. These people have spent 10 years of the best part of their life in the hope of being made permanent. The Government has

revised the grades of their employees, but unfortunately nothing has been done to meet the legitimate grievances of these men. I therefore appeal to the Hon'ble Chief Minister to see that each and every one of them of the said scheme including the clerical and menial staff is absorbed in the new set-up, and made permanent and Budget provisions accordingly made.

Regarding Education, the Commissioners of the Darjeeling Municipality have gone so far as to levy an education cess at the rate of 33½ per cent. on their holding rates, and they have approached Government to sanction some money towards the introduction of free primary education within its limit. The introduction is simply awaiting Government decision in the matter. It is therefore requested that the Government expedite sanction of this sum at an early date. The other municipalities in the district are also very anxious to have free primary education in their areas if such help from the Government is also assured. So far as the rural areas are concerned, Government has sanctioned the establishment of the District School Board in the district of Darjeeling with effect from 14th April, 1949.

Accordingly, education cess at the rate of 9 pies per rupee is also being collected with effect from that date. I cannot understand why this matter has been so delayed. I, therefore, draw the attention of the Education Minister to see that the School Board starts functioning soon in Darjeeling district and necessary provisions are made in the Budget for the spread of free primary education in the rural areas. The need for the establishment of more secondary schools in the district is an absolute necessity. Special consideration to the needs of the backward areas may be given. Facilities of instruction in industries like weaving of wool, bee-keeping and preparation of food production should be provided with a view to popularising them as cottage industries. With regard to

Education, Sir, I would like to draw the kind attention of the Minister of Education to a very unjust and partial order of the department which has caused a great dissatisfaction amongst some of the members of the staff of the Government High School, Darjeeling, which I hope will soon be remedied. The teachers of the Darjeeling Government High School used to draw a compensatory allowance, then called hill allowance, since perhaps the establishment of the school. It was sanctioned to all the officers working in the district for the expensiveness of living. At the time of revision of pay in 1950 the names of the teachers of this school were not included in the schedule containing the lists of officers entitled to the compensatory allowance and hence they were debarred from drawing it since April, 1950. This caused great hardship to the teachers. They represented their grievances to the authorities for redress. Later on, in 1951, the Government extended the benefit of the compensatory allowance to all grades of officers including gazetted officers who did not enjoy this privilege previously, provided their pay and allowances calculated at the rate of 25 per cent. of the pay did not, taken together, exceed Rs. 375, with effect from 1st August, 1951. Under this rule the teachers of this school were allowed to draw the compensatory allowance from the 1st August, 1951, and not from 1st April, 1950. According to this order, 3 Tibetan Vernacular and Classical teachers and 2 Nepali Vernacular teachers of the Government High School, Darjeeling, besides of course those who were in the Government High School, Kalimpong, were not permitted to draw it as the order *inter alia* contained a restriction that only those officers will be entitled to draw it who are liable to be transferred outside the district. Owing to this differential treatment, one Tibetan teacher of the Darjeeling Government High School and one Tibetan teacher of the Government High

School, Kalimpong, have resigned their posts in protest. As the case stands now, the teachers of Tibetan and Nepali Classical Vernacular categories have been deprived of their compensatory allowance since 1st April, 1950, that is, a period of about 27 months. I do not know when this matter is going to be remedied. Teachers of other categories have been deprived of the same for the intervening 16 months.

Mr. Chairman: I think the hon'ble member would kindly confine himself to the matter under discussion, the Budget.

Sj. R. S. Prosad: Sir, it has got connection with the Budget. If some provision is not made—

Mr. Chairman: Other representations may be made of a similar nature. So kindly confine yourself to constructive suggestions. I will give you three minutes more.

[11-20—11-30 a.m.]

Sj. R. S. Prosad: Another alarming situation has arisen due to the slump, Sir, in the tea industry. Sir, a very big population of the district live in the tea gardens and are thus dependent on these tea estates. Due to this slump about one-fifth of the labour population has gone out of employment. This is a very serious problem, Sir. This needs tackling at once. This industry, both in the interest of the country and the labour population, has got to be saved. One of the important factors responsible for this is the purchase by the gardens of rice at the rate of Rs. 26 per maund and supply the same to their labour population at the rate of Rs. 8 per maund, i.e., at a loss of Rs. 18 per maund. This is no doubt greatly responsible for the increase in the cost of production which the Government should at once tackle along with other factors responsible for the same. Arrangements should be made to supply these tea estates rice at the Government controlled rates.

[Sj. S. R. Prosad.]

There is another point I would like to touch, Sir. I have seen provisions of money made for the introduction of prohibition in the districts of West Dinajpur and Malda. I would suggest this to be extended to my district of Darjeeling, as well. If in any way it is not considered feasible now, I would insist on some provision in the Budget for propaganda work in educating the people against the evils of alcoholic drinks. This, at least, should not be a difficult job.

In view of all what I have stated, it would not be unwise to state in this connection that this district of Darjeeling is a far flung outpost of India having on its borders other countries and states like Nepal, Bhutan, Sikkim, Tibet and Pakistan. It has thus been and must remain the window through which the world must look on the neighbouring countries and through which the neighbouring countries must look out on the world. This district has, therefore, a great role to play in the promotion of that understanding and friendly relation between India and her neighbours which our Government and our leaders are so anxious to foster.

Sj. Pannalal Saraogi: Mr. Chairman, Sir, the Budget presented by our Chief Minister clearly indicates the policy of the present Government and envisages an all-round progress of the State. The problems before the Government are many and complicated but some of them demand first priority and no responsible State can afford to neglect them. Sir, I must frankly say that problems like higher education or even compulsory primary education can wait, but the people, who are after all paying for the piper urgently require two square meals, medical relief, peace and tranquillity, so that the safety of their hearths and homes is assured. For this, I think the Budget has rightly provided Rs. 13,21,45,000 out of the total revenue receipts estimated at

Rs. 36,37,05,000. I do not think, Sir, that Rs. 6,05,02,000, i.e., a little under 1/6th of the revenue receipts, provided under head "Police", is a huge amount particularly in view of the hectic days that followed the partition when it seemed for months together that the hooligan elements of the society were out of bounds of law and order. It will be admitted on all hands that there is need for more protection in the rural areas and I hope during the next five years people in every village in this State will feel more secure. I would take this opportunity to congratulate the Government on the organisation of Village Defence Parties in some areas and I am confident that such organisations will be started all over this State with the co-operation of the local people.

Sir, when I said that education might wait, I do not mean that the progress that has been made so far should be halted. I am not an educationist, but it is fortunate that we have got some experienced members of the line in this House. I would request them to formulate concrete schemes for re-orientation of the present educational system which has been responsible for avoidable frustration and wastage of money and energy. There are so many young men who have come out of the university and schools but do not find any scope for living. As far as I know, in the other countries there is bifurcation even in the secondary education stage so that boys who do not or cannot afford to have an aptitude for higher education can take some practical training and engage themselves in useful occupations.

As a layman and a practical businessman I feel it is high time that the educational system was overhauled to suit the practical needs of the present day. It is very easy to say that compulsory primary education should be introduced all at once, but I am afraid the finance of this State will not be able to afford it. Besides, I feel

that a huge expenditure on compulsory primary education in a poor country like India is a luxury which only industrially developed countries in the West can afford. I would, however, suggest that the Government should run or assist private organisations to run some model secondary and primary schools in selected areas with continuation classes, where those who will not go for higher education can take some practical training for utilisation as far as practicable in the locality.

I am, therefore, glad that the Government have decided to open a Department of Cottage and Small Scale Industries. If the educational institutions in the rural areas can inculcate the proper spirit into the minds of their scholars and make suitable arrangement for training in the continuation classes, I have every hope that a number of cottage and small scale industries will thrive in the rural areas, particularly where electricity will be taken under the Government's scheme. There is an idea that the economic progress of the West, particularly of the U.S.A. and U. K., has been possible only through large scale industries but it is the modernised cottage and small scale industries that account for the economic progress attained by even such industrially advanced countries of the world like U.S.A., U.K., Germany and Japan. The evidence before the U.S.A. Senate on the Reciprocal Trade Agreements Act in 1948 brought out the fact that there were about 38 lakhs of industrial establishments in the U.S.A. employing 1 to 4 workers and according to a recent estimate small business makes up 92.5 per cent. of U.S. business establishments, employs 45 per cent. of the country's workers, and handles 34 per cent. of its volume of business (Sj. ANNADA PRASAD CHoudhuri: How much by blackmarketing?) I am giving you some practical statements; it is no use interrupting me and shouting like that.

Sj. Debendra Nath Sen: On a point of information, Sir. Is there a case pending against my friend for blackmarketing?

Mr. Chairman: No interruptions, please.

Dr. Bidhan Chandra Roy: That gentleman should know about blackmarketing more than anybody else.

Sj. Pannalal Saraogi: In the U.K. according to an official estimate, units employing between 5 and 30 persons accounted for 29 per cent. of the employees and 19 per cent. of the output. In the pre-war Germany for which figures are available up to the 1930, the number of small factories was considerable although the percentage was steadily declining in favour of large scale industries. In Japan, on the other hand, the cottage and small scale industries continued to hold their own and the small scale industries employed more than half the total industrial population. Cottage industries in West Bengal are generally run as individual concerns by families of workers with very limited resources at their disposal.

Sj. K. P. Chattopachyay: Sir, should we not have taken a written speech as read? You said something about written speeches the other day, Sir.

Sj. Pannalal Saraogi: Sri Annada Prasad Choudhuri has referred to the sericulture industry and asked for banning the import of silk. Although the raw silk producers need protection the imports allowed at present hardly meet the requirements of mills. Thus the sericulture industry or the handloom industry and for the matter of that all cottage industries need not only protection but practical assistance in the shape of finance, as also marketing of their products. Besides co-operative organisations, Sales Depots should be organised and financed by Government. As Sales Depots cannot fully serve the entire requirements of cottage industries some other method should be adopted so that all cottage

[Sj. Pannalal Saraogi.]

industries may be assisted. In this connection the organisation of a Cottage Industries Marketing Board may be considered. Private shops or farms also may be subsidised in order to market cottage industries products.

[11-30—11-40 a.m.]

Sir, I must confess that I am not in favour of State trading. I believe that if private enterprise were allowed to handle the procurement and distribution of food-grains under the strictest supervision of the State much of the wastage might be avoided and the work be carried out more efficiently. As regards road transport also, I would suggest that if it be found that the State Transport services are still running at a loss it should be handed over to a private corporation on suitable conditions. The money that will be saved might be utilised for building roads as a better communication is a more urgent problem of the State than running State buses along with private-owned ones.

Sir, a deficit budget is not necessarily wrong, but against the background of the present capital market and the saturation point the tax-paying capacity of the people of this State has already reached, I do not like a deficit budget. Besides, the Planning Commission counted upon the surpluses in States' Budgets for financing the development schemes in the States. I therefore very much hope with the Hon'ble Chief Minister that the Finance Commission would do justice to the State of West Bengal in the allocation of the share of income-tax and of the grants-in-aid to be paid in lieu of the share of the net profits of the export duty on jute and jute goods.

(Here the blue light was lit.)

Sir, I want one minute more. I suggest that all possible care should be taken for increasing the efficiency of the administration which, I am sure, will result in avoidance of wastage and a more efficient

administration will also, I hope, bring in more revenue under the different heads, particularly from Sales Tax. Due to the existing defective procedure the State is losing a big amount which could otherwise be realised. At present only the honest and *bona fide* dealers are suffering on account of mushroom establishments cropping up just to take advantage of the present lacuna in the Sales Tax administration. Improvement in the Sales Tax administration, I am confident, will augment the income from this source and the deficit in the Budget will be appreciably made up.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, The task of winding up the debate on behalf of the Opposition devolves on me. As I am slightly physically incapacitated today I thought at first that I would not be equal to the task, but simultaneously I came to realise that our friends on this side of the House have established an unanswerable case in the light of the constructive criticisms that they have offered. On the contrary my friends opposite miserably failed to make any creative contribution to the debate on the Budget. Some of them underlined certain portions of the speech of the Finance Minister. Some others summarised his speech and everybody was full of fulsome flattery of the Chief Minister. Therefore, my task has been rendered very easy indeed. The manner in which the budget has been approached by the Government benches shows their absolute intellectual servitude to a dominating personality, namely, the Finance Minister of West Bengal.

I shall be doing an injustice to the two ladies who have taken part in the debate. Both of them spoke in a spirit of challenge. Their challenge reminds me of certain portions of a famous essay of Macaulay. In his Essay on Addison Macaulay said that a mediaeval knight was challenged by a lady to fight in a duel. The knight responded to the invitation but took a broken sword. The traditions of

our country are entirely different. We could not think of going to the length to which the mediaeval knight went. Besides as a married man I have the experience that it is very difficult to cope in argument with one woman and when two are concerned it is absolutely out of the question. I will therefore leave it at that.

Sir, we do not believe in opposition for the sake of opposition. Our friends therefore have approached the Budget in a spirit of constructive criticism. The Chief Minister has put forward the flamboyant claim that the State of which he happens to be the head is a social welfare State. I wonder if he realises the scope and meaning of a social welfare State. In a social welfare State public finance is an instrument of social progress. In a social welfare State there is a transference of resources from the rich to the poor and this transference is made through the tax structure of the State. The Finance Minister has in his Secretariat one of the ablest men perhaps in the whole of India to advise him. If he asks his able Secretary he will perhaps tell him that this has been the policy adopted by the social welfare States of modern times. The slogan of social welfare State is "Tax the rich, benefit the poor". I ask the Finance Minister in all seriousness, has he followed this principle so far as the tax structure is concerned? If you analyse the system of State taxes you will notice, Sir, that about 10 to 12 per cent. of the total revenue only comes from the pocket of the richer section of the people, but the poorer section who constitute the vast majority of the people of the country contribute the major part of the total revenue. Therefore, judged from this point of view his State is following altogether a wrong policy and the flamboyant claim that he has put forward has in fact no legs to stand upon. Mr. Saraogi—may he live long. He is a young man and he will live long perhaps to carry on this private business and take over deficit

Government businesses for himself. Mr. Saraogi has argued that the tax structure is very satisfactory, and that Government should not undertake these social service operations at all and everything should be left to private enterprise. For his benefit and perhaps for the benefit of the Finance Minister also I will crave your indulgence, Sir, to permit me to read out from a short quotation of two or three sentences from a very weighty report that was submitted to the American President by ex-President Hoover in 1931 when the whole of the United States and the whole of the world was in the grip of the world depression. The ex-President writes, "There are times when private enterprise fails. In such periods society must assure the care of those who are unable to help themselves and their children. The primary obligation is upon the local political division where such conditions exist". This is Hoover. You compare this with what the great economist Mr. Saraogi has told you. Sir, let us look at the policy that the British Labour Government, which claimed to run a social welfare State, followed. The White Paper on employment published in May 1944 by the British Government contains among other things the following. "The Government believes that in the past the power of public expenditure skilfully applied to check the onset of a depression has been underestimated". We are in the midst of recession. What has the Finance Minister done to check this recession? Does he propose to follow the policy that the Labour Government pursued? "The whole notion" the note continues "of pressing forward quickly with public expenditure when incomes were falling and the outlook was dark has naturally enough encountered strong resistance from persons who are accustomed with good reason to conduct their private affairs according to the very opposite principles. Such resistance can however be overcome if public opinion is brought to the view that periods of trade recession provide an opportunity to improve the per-

[Sj. Nirmal Chandra Bhattacharyya.]

manent equipment of society by the provision of better housing, public buildings, means of communication, power and water supplies, etc." I do not deny that the Finance Minister has decided to launch on certain schemes of public work but then he does not go far enough. He does not go far enough to convert the State into what we call a social welfare State. Sir, one of the primary responsibilities of Government during periods of recession and depression is to maintain if possible full employment. That of course is out of the question in a backward country like ours but I will ask the Chief Minister with all the force that I can command what he has done to solve the problem of middle-class unemployment. Most of you, ladies and gentlemen, come from middle-class families. You know there is unemployment staring you in the face in your own family. What has the Finance Minister done to fight this terrible problem? Sir, as I think of the audacious claim that the Finance Minister has made I am reminded of a very famous political philosopher John Stuart Mill who laid down a very simple criterion of good Government. Mill was described by Gladstone himself as the high priest of rationalism. This high priest of rationalism laid down the criterion somewhat as follows: "A government that succeeds in releasing the moral and active qualities of the citizens has really succeeded in achieving its end." It is for you to consider if the Congress Government extending over a period of five years in our country has really succeeded in releasing the moral and the active qualities of the citizens. Let us look at the moral picture. Think of the Corporation of Calcutta which was ruled by Congress cliques for quite a number of years. It was converted by them into a seething mass of corruption. Look at the University of Calcutta. Dynastic rule extending over a period of nearly 50 years—

[11-40—11-50 a.m.]

Mr. Chairman: Would the honourable member kindly refer to the Budget?

Sj. Nirmal Chandra Bhattacharyya: Sir, in the Budget there is an item "Education" and I submit with all respect to you that while speaking on Education I am entitled to refer to what had happened in the University within the last 50 years

Sj. Devaprasad Chatterjea: Was it under Congress rule?

Sj. Nirmal Chandra Bhattacharyya: I was not referring to the Congress here. I was referring to dynastic rule. Could I go on, Sir?

Mr. Chairman: Please go on.

Sj. Nirmal Chandra Bhattacharyya: Dynastic rule extending over a period of 50 years in the University assisted by some people in influential places who are present in this hall today converted the University into a hot bed of corruption and nepotism. A committee was appointed sometime ago presided over at first by no less a person than Sir B. L. Mitter and later by no less a person than Mr. S. M. Bose and they submitted a very weighty report. Influences were exercised upon the members of the Senate to stop the publication of that report.

Sir, look at another aspect of the picture. Has the Government succeeded in releasing the active qualities of the citizens? Whenever the people have tried to stand on their own legs they have been suppressed. Thousands of peasants have been arrested and put into jail. Thousands of workers have been similarly dealt with and the middle-class people who had sought to organise the peasants and the workers for the development of the country have also been similarly dealt with on the most frivolous charges referred to by my distinguished friend Professor K. P. Chattopadhyay the other day. Perhaps

Mill's reference or rather reference to the political philosophy of Mill will not satisfy the obscurantists on the other side of the House. I will refer to the ideal that Mahatma Gandhi himself laid down. I yield to none in my admiration for this great man who has shed a glowing lustre upon the annals of India. Mahatma Gandhi replying to a letter written to him wrote somewhat as follows: "In judging whether a policy is good or bad; think of its repercussions, of its effect upon the poorest of your countrymen." I cannot think of a better criterion of good government. And what has the present Ministry done about it? And what did its predecessor do about it. Think of the peasants. The growing need of the hour is the abolition of the zamindari system. There is no provision in the Budget which might indicate the acquisition of zemindaries and establishment of peasant proprietorship in West Bengal. This should have been one of the measures to be taken up by the so-called welfare State that is sought to be established. If Dr. Roy means Congress Welfare State I agree with him. But if he thinks of a social welfare State I disagree and I would dispute his claim to any extent.

Sir, Mr. Saraogi is a budding educationist. Against his theory I would just mention the point of view that Rabindranath Tagore, a much smaller man than Mr. Saraogi, held. Rabindranath Tagore himself said in one of his letters from Russia that all the evils in our country could be eradicated if we could educate our people. But the great philosopher Mr. Saraogi says that education can wait, let it wait and let blackmarketing go on unimpeded. If that is the view that the members opposite are prepared to accept, let them do so; we are no party to it. Sir, I am an educationist and you will perhaps pardon me if I refer to education. I do not propose to traverse the ground that has been covered by my friends here and particularly I do not want to do so

because their arguments have not yet been answered by anybody. But I will refer to one particular case, namely, agricultural education. Our Finance Minister derives a good deal of self-satisfaction from the fact that he has established an agricultural college in Tollygunge.

[11-50—12 noon.]

Sir, the establishment of an Agricultural College at Tollygunge is a huge joke. The Indian Council of Agricultural Research reported that an Agricultural College should be situated in a rural background. This was fully endorsed by the Radhakrishnan Commission. As an ex-Vice-Chancellor of the University Dr. Roy perhaps is aware of these recommendations. But he insisted on establishing a College at Tollygunge, and the provision that he has made for teaching there is very funny. The officers of the Agriculture Department will go and lecture there. You are aware that our Prime Minister some time ago declared that the officers of the Agriculture Department—he was not of course including everybody but the majority—the officers of the Agriculture Department do not know how to establish contact with the people, with the agriculturists. These people coming from the Secretariat perhaps or from a neighbouring farm run on American lines will come and deliver lectures there. The arrangement for practical work is still funnier. The students will have to go to Chinsurah or Haringhatta for practical work. There is no laboratory at the Tollygunge college. As against this I would like to draw attention to another Agricultural College which was established by our University about three years ago at Jhargram. It was possible to do so principally through the assistance that the University received from a member of this House, the Raja Sahib of Jhargram who is present here. The University spent for it all the available resources but Dr. Roy, I do not know why, decided not to support that institution; he decided to open

[Sj. Nirmal Chandra Bhattacharyya.]

an Agricultural College here. Possibly he decided to do so because he thought that a rural atmosphere was unsuitable for the establishment of an Agricultural College. Sir, that is how public money is being wasted, and this kind of waste amounts to a kind of culpable negligence of which the people of Bengal in future will certainly take note. Sir, it has been argued that there is no money. Social services require a lot of money. There is no doubt about it. I suggest that in the first place Government ought to try to retrench and economise as far as possible. I suggest the appointment immediately of an Economy Committee or Retrenchment Committee for the purpose of ascertaining how far it is possible to economise and how far it is possible to retrench. Apart from this, there is another suggestion that I would like to place before you. Sir, I believe, and it can be proved if we look into the figures, that it is possible to get some more funds by taxing the rich—they are escaping very lightly indeed today. I would suggest that sales tax on motor spirit be increased. I also suggest an increment in the motor vehicles tax and betting tax. I would also advocate the imposition of a higher sales tax on luxury goods, not on all goods but on luxury goods. You are aware, Sir, that the poor classes of the people have got to pay an education cess. The industrialists and the men of commerce do not pay anything specifically for education. I propose that an education tax be imposed on industry, trade and commerce. I would also advocate that people who belong to a higher income group—I am citing this merely as an example because I have not the available figures to work out the details; the able Secretary of the Finance Minister will be able to give you that—should be specially taxed. I would suggest that the money that might so accrue be earmarked for education.

Sir, some of the members of the opposite side including perhaps the Leader of the House characterised us as breakers. People who are either ignorant or malicious have said that we believe in chaos and disorder. I confess, Sir, that we are breakers in a way, we are breakers of that iniquitous system, of that idol capitalism which is sucking the lifeblood of the people and fattening itself. We are breakers of the social system which has divided our nation into two, the rich and the poor. We are breakers of that system which is nothing but a conspiracy of the rich against the poor. But, Sir, we want to break the old system in order that we may build up a new system in its place. I am reminded of a very famous speech by Deshbandhu Chittaranjan Das in the old Legislative Council, the Council that was called under the Government of India Act of 1919. He compared the social system of the time to a condemned house. Sir, I believe that the social and political system under which we are living today is a condemned house of which the walls are cracking, the rafters are falling to pieces, the roof is leaking and is about to crumble down. You cannot build a new structure unless you pull down the old. That is the problem that faces us. Sir, our Finance Minister is one of the cleverest of men that I have known. I ask him in all seriousness—is he not in a position to read the writing on the wall. He has a discerning eye, he ought to be able to discern it. It is the rumblings of revolution. Possibly he thinks, just as one of the monarchs before the French Revolution thought, “after me the deluge”. But I tell him that the deluge may come a little earlier.

Sj. Prafulla Chandra Sen: Mr. Chairman, Sir, my honourable friend Mr. Debendra Nath Sen again treated us this morning with one of his old performances. Up to a certain point he accepted my figures and obliged me by doing that but then he entered a

blind alley and lost himself and he confessed that he was not very good at arithmetic—

[12 noon—12-10 p.m.]

and he was not sure of his own figures although he tried to distort my figures and delude the House again this morning as he tried to do the other day. Sir, his calculation was based on the production figures of only one year, that is the year 1951. I do not know whether my friend Mr. Deben Sen is aware of the fact that we do not get normal production every year. In the year 1943 or rather in 1942 the production was as low as 28 lakh tons. In some years it is 32 lakh tons, in some other years it is 35 lakh tons and in one year when we had a bumper crop after the famine, that is in the year 1944, the production went up to 42 lakh tons in West Bengal. This year, as he knows, the production was very low; it was 34 lakh tons.

Sj. Debendra Nath Sen: Which year you mean?

Sj. Prafulla Chandra Sen: I mean 1951-52.

Sj. Debendra Nath Sen: How far it has travelled?

Sj. Prafulla Chandra Sen: I mean Aman crop of 1951.

He relied on the figures for 1950-51. Sir, then his calculations about requirements of West Bengal were based on fictitious figures. There is no uniform consumption rate of cereals, no international uniform rate, no standard rate either. In U.S.S.R. the *per capita* consumption of cereals is as high as 19 ounces *per capita* per day. In Turkey, China and Japan, the *per capita* consumption of cereal is 16 ounces per day, whereas in the United Kingdom it is as low as 8.6 ounces *per capita* per day. In the United States of America it is even lower. In our country, Sir, there are economists, statisticians, who say that the *per capita* consumption of cereals—the only cereal that we produce

in any quantity of course is rice—*per capita* consumption of cereals in the rural areas is as high as 24 ounces.

Sj. Debendra Nath Sen: Which statistician says so?

Sj. Prafulla Chandra Sen: There are some who say so. Even Sj. Charu Chandra Bhandari, whom Mr. Deben Sen knows very well because he is also a member of the Krishak-Mazdur-Praja Party, thinks that 10 maunds of paddy *per capita* per day is the consumption requirement in West Bengal. Mr. Deben Sen thinks that West Bengal is not a deficit State. I do not know whether he had been able to convince any of the honourable members here. The other day the Hon'ble Sri Debendra Nath Mukherjee was sitting by his side and he spoke after Mr. Deben Sen had finished and he said our State was a deficit one.

Sj. Debendra Nath Sen: Is he the only authority?

Sj. Prafulla Chandra Sen: But he is an honourable member of this House and a learned member too. He said that our State is a deficit one in respect of rice although Mr. Deben Sen tried to impress upon us that it was a surplus State.

Sj. Debendra Nath Sen: Depend upon your figure and not depend upon others.

Sj. Prafulla Chandra Sen: As I said Mr. Deben Sen relied upon my figures and then parted ways with me and entered into a blind alley. Mr. Deben Sen does not know that while deducting requirements for seed and wastage which we take at 10 per cent., although the accepted international figure is as high as 12½ per cent. he does not know that after procuring we do not deduct anything for seed. We only deduct and take into account wastage, drriage, etc., and that is not 10 per cent. As I said before, Mr. Deben Sen, as he confessed himself, is not very good at arithmetic. If he would look at the figure carefully he would find

[Sj. Prafulla Chandra Sen.]

that from the total production each year we had deducted 10 per cent. and calculated the total available for consumption.

Sj. Debendra Nath Sen: I meant that.

Sj. Prafulla Chandra Sen: He says he meant that and that is 10 per cent. In other States in India it is as high as 12½ per cent. I said this the other day and I do not want to repeat it. But Mr. Deben Sen goes on repeating the same thing. (Sj. DEBENDRA NATH SEN: Because it is vital.) Perhaps he thinks that if he goes on repeating the same thing, if he goes on repeating false and fictitious figures, they would become true.

Sj. Debendra Nath Sen: I depend upon your figures.

Sj. Prafulla Chandra Sen: As I said he did so to a certain extent but he did not take all my figures and the rest of his figures are based on assumption.

Mr. Chairman, Sir, Mr. Debendra Nath Sen said that we can very well decontrol and he repeats the same thing off and on and says that I was going to sabotage Mr. Kidwai's plan. Well, what is this Kidwai Plan, may I ask? Mr. Kidwai's plan is this: He wants to feed the whole of Calcutta and the industrial area (Sj. DEBENDRA NATH SEN: Rightly.) comprising 57 lakhs of people. Mr. Deben Sen thinks that the Government of India is giving us adequate allotments. Yes, they have been giving us allotments of wheat only and very little quantity of rice. Would Mr. Deben Sen like us to put the whole of the rationed area on wheat? Unless we are assured of a regular and adequate supply of rice from the Centre, Calcutta and the industrial areas cannot be cordoned off and unrestricted movement of paddy cannot be allowed.

Sj. Debendra Nath Sen: We know it will never be cordoned.

Sj. Prafulla Chandra Sen: Kidwai Plan is nothing novel.

West Bengal Government have been impressing upon the Central Government to allot more rice for West Bengal. As I said the other day, during the pre-war days we used to import only 2 lakh tons of wheat and more than 3 lakh tons of rice we got from Burma and Orissa. We are not getting any rice from Orissa and Burma now. From Burma we are now getting a few thousand tons only. Last year we got an allotment of 30,000 tons of rice as against 545,000 tons of wheat. We have been pressing upon the Government of India to give us at least 40 per cent. of the total allocation in rice. If that is done the Kidwai Plan will succeed and will succeed admirably.

Sj. Debendra Nath Sen: Did you say that?

Sj. Prafulla Chandra Sen: As Food Minister of West Bengal I have been saying that since 1948, Government of India tried to help us but as you know the availability of rice from overseas was very low. Recently Burma and other paddy-growing countries have been able to export a little more than they had been able to do during the last three or four years and therefore there is the possibility of Mr. Kidwai's plan succeeding and I can assure this House that the West Bengal Government will co-operate with the Kidwai Plan whatever it is and we shall cordon off Calcutta as soon as we get sufficient allotments of rice from the Government of India. At the present moment you know, Sir, that from the 7th of this month we are going to sell imported rice at economic rates and the quantity—

[12-10—12-20 p.m.]

That will be given *per capita* per week will be 6 *chittaks*.

Sj. Debendra Nath Sen: Is that the Kidwai Plan?

Sj. Prafulla Chandra Sen: That is part of the plan. The economic price will be Rs. 30 per maund. This will lessen the pressure on the rural markets and I

am sure smuggling will stop and conditions will be much more favourable for further relaxations.

Sj. Annada Prosad Choudhuri: What is the difficulty in cordoning Calcutta?

Sj. Prafulla Chandra Sen: Well, Calcutta is already cordoned. There is nothing new in it. What Mr. Kidwai meant is this, that after cordoning Calcutta off from the rest of West Bengal the whole of the country minus Calcutta and the rationed areas will be decontrolled, that is to say, free movements will be allowed from one district to another. Calcutta is already cordoned, there is already cordoning around it. What Mr. Debendra Nath Sen meant to say was this, cordon off Calcutta and allow free and unrestricted movement of paddy and rice throughout the country.

Sj. Annada Prosad Choudhuri: You are against it.

Sj. Prafulla Chandra Sen: I am not against it. So long as West Bengal Government are required to procure rice and paddy for feeding Calcutta and the rationed areas we cannot merely cordon off Calcutta and leave the whole country in a decontrolled state. We must procure and therefore we must keep the Calcutta cordon and also cordon other districts as we have been doing.

Sj. Annada Prosad Choudhuri: Suppose the cordon is removed in districts. What will be the difficulty?

Sj. Prafulla Chandra Sen: The difficulty will be this: My friend knows that Bankura district is predominantly a paddy-growing district, it does not produce jute, nor potato nor any other money crop. In one of the thanas of Bankura I think the price of rice went up to Rs. 23 and I received telegrams saying that scarcity conditions were prevailing there, and therefore we cordon off the paddy-growing districts which have no other money crop, where the purchasing power is low in comparison with Cooch Behar which produces

tobacco and jute and other districts which produce a number of money crops; and it is in the interest of the cultivators themselves, in the interests of the consumers themselves, that we have cordoned off these districts. The honourable member Sri Annada Prosad Choudhuri knows that the price of rice in Contai at the present moment is Rs. 19 per maund. Contai people grow nothing but paddy, and if the price there soars to Rs. 23 or 24 per maund, scarcity conditions will prevail. Therefore, it is in the interest of these areas that we cordoned them off.

Sj. Annada Prosad Choudhuri: The whole province is cordoned.

Sj. Prafulla Chandra Sen: Sir, my friend Mr. Debendra Nath Sen also referred to wastage. He quoted figures, wherefrom I do not know, and said that we had made a profit of Rs. 3 crores -- I am not aware of that -- I would again say that my friend Mr. Debendra Nath Sen does not understand arithmetic. We cannot make a profit of Rs. 3 crores. (Interruptions.) All our accounts and stocks are audited and the audited figures do not show a profit of Rs. 3 crores. Our accounts were audited during 1948, they were audited in 1949 and they were audited in 1950; and I do not understand how Mr. Debendra Nath Sen got these figures and maintained that we made a profit of Rs. 3 crores.

Sj. Debendra Nath Sen: Submit to an impartial enquiry.

Sj. Prafulla Chandra Sen: I am willing to submit myself to any impartial enquiry because I am sure of my ground. That will be done if the Government think it necessary.

Sj. Annada Prosad Choudhuri: গভর্ণমেন্ট কি লাভ না করে কাজ করেন?

Sj. Prafulla Chandra Sen: The Government carries on the work on a no-profit, no-loss basis. (Interruptions.)

Mr. Chairman: Occasional questions are allowed. But interruptions like these are not allowed.

Sj. Prafulla Chandra Sen:

Sir, I do not know whether Dr. Ahmed is here, Sri Annada Prosad Choudhuri as a member of the West Bengal Press Advisory Committee, visited the Haringhatta Farm and he made certain remarks regarding it. Sir, the Haringhatta Farm is something like a College. Sri Annada Prosad Choudhuri was educated in Calcutta and in Dacca and he lived in hostels, well-equipped hostels, and he studied in well-furnished colleges; even then he went to a village to work. And Haringhatta bulls and cows are being educated and trained there, and I do not think that Sri Annada Prosad Choudhuri should grudge them this training. My friend Mr. C. C. Sanyal raised a question regarding afforestation. He was under some misapprehension regarding afforestation. I have got here figures to show, although I have got very little time because the Hon'ble Chief Minister will now reply—he wanted to show that the Forest Department have been spending much more than is required. I think it will be better if, while moving our demands for grants, other detailed points are answered to. I will resume my seat now.

Sj. Annada Prosad Choudhuri:

But that is in the Lower House.

Mr. Chairman: Members will continue and finish this matter. It will be better, because there is other important business tomorrow and probably that will continue on Monday.

Sj. Prafulla Chandra Sen:

Sir, I think I should resume my seat and allow the Chief Minister to answer.

Dr. Bidhan Chandra Roy:

Sir, the speaker who spoke last from the so-called Opposition benches, an erudite scholar as he was, who gave us the benefit of various quotations from big authors and writers asked me if I saw the writing on the wall. Yes, I do see the writing on the wall, and I did make a statement nearly

a year ago about relieving the position of the middle class. My friends opposite who are anxious about the kisan, majdoor and praja never thought of the middle class. Those who think of the workers, peasants, etc., never thought of the middle class. It was only when I started to speak about the middle class they thought that they should get the middle classes tagged on to their side. (Interruptions.) I do not like to be interrupted. I did not interrupt anybody. Sir, in this House I have listened to the speeches from various benches, from various parts of the House, and it has been quite clear to me that the one thing that they have shown is that they are mainly unrealistic, and they are inaccurate in their criticisms.

[12-20—12-30 p.m.]

One thing we have heard often and that is that this is a top-heavy administration. I wonder if any of my friends who have made such comments have read the reports that I have circulated this morning. I would like to give to my friends opposite as well as to the public a few of the figures because they are very interesting.

I know that Sri Annada Prosad Choudhuri was the Finance Minister for some time in this Government. He spoke of the employees drawing pay up to Rs. 300 and about them he was talking mostly. Sir, we have got certain figures to show and they are these. The total number of employees between Rs. 0 and 300 in the Government to-day is 1,24,269; they form 98.42 per cent. of the total employees of the Government and the total salary that they get is Rs. 1,24,74,928, i.e., 88 per cent. Of the total expenditure per month of this Government on "salaries" which amount to Rs. 1,40,28,582 88 per cent. are paid to those who are getting a salary between Rs. 0 and Rs. 300. May I ask, is this top-heavy administration? Sir, those drawing between Rs. 301 and Rs. 500 are 1,195; they form .95 per cent of the total strength of our staff and they get 4.24 per cent.

of the total emoluments that are spent every month. 88.93 per cent. are drawn by those on a salary between Rs. 0 and Rs. 300 and 4.24 per cent. by those on a salary between Rs. 301 and Rs. 500. Similarly, those who draw salary between Rs. 501 and Rs. 1,000 are 607, they form .48 per cent. of the total number of our employees and they draw salary which amounts to 3.87 per cent. of the total. Sir, those who are getting a salary between Rs. 1,001 and Rs. 2,000 form only 140 out of a total strength of 1,28,270; they draw .11 per cent. and the salary drawn by them is 1.65 per cent. of the total salary payable to our staff. Of those drawing a salary between Rs. 2,001 and Rs. 2,500 there are only 16 officers and they form .01 of the total number and the pay drawn by them is .26 per cent. of the total salary payable to the staff. Of those drawing a salary between Rs. 2,501 and Rs. 3,000 there are 19 officers, they form .01 per cent. of the total strength and the salary drawn by them is .39 per cent. of the total disbursements on salary. Of those drawing a salary between Rs. 3,001 and about (including the 19 Judges of the High Court) there are 23 and they form .02 per cent. of the total number of the staff and they draw .65 per cent. of the total salary payable. If you take out the 19 Judges of the High Court the number of those getting a salary above Rs. 3,001 would be only 4. Therefore I maintain with all emphasis that this is not top-heavy administration. By no means can it be called a top-heavy administration.

Sir, the next question that has been asked over and over again—and I think the sooner this delusion is cleared up the better—is this that the lower classes of officers have not been given substantial relief and that more is given to the higher classes of officers. I hope you will forgive me if I quote a few figures. Take, for instance, the menials in the districts and in Calcutta. The average salary which they were getting in 1939 was Rs. 15 in the districts and Rs. 17 in Calcutta. The average

salary including the allowances which they are getting now is Rs. 53.5 in the case of the districts and Rs. 57.5 in the case of Calcutta. I heard somebody on the other side say that they get only Rs. 30 or so. They should get at the facts and figures before they go on criticising the Government. You must take into account the salary which is paid to them today and compare it with the price index prevailing today and compare the salary and the price index of today with their corresponding numbers in the year 1939. You will find that the salaries of the menials working in the districts have been increased to 356.7 per cent. whereas the economic index is only 339.4. Also so far as the menials are concerned they pay no income-tax. So you can see that the menials are getting a salary which even according to the price index is above the economic index or the price index.

Sir, when we come to the case of clerks, of course, the position becomes a little difficult. The salaries that the clerks are getting today in the districts are 234.8 compared to 100 in 1939 and in their cases the index figures are 330. Therefore they are below this living index admittedly.

But when we come to the higher salaried people, those who are getting salaries in the higher scales and who pay income-tax in their case their salary as compared with that of 1939 has not increased; on the other hand it has diminished. In the case of the Indian Police Service the salary today is 99 as against 100 in 1939; the Secretaries to the Government are getting 91 whereas they were getting 100 in 1939; the Indian Civil Service officers are getting 89 today whereas they were getting 100 in 1939; for the Indian Administrative Service officers it is 75 today compared to 100 in 1939. The Chief Secretary and the Member, Board of Revenue, get 86.4 per cent. today compared to 100 in 1939. Those who understand figures can appreciate the position. Nobody can complain about the position of the lower classes of employees when

[Dr. Bidhan Chandra Roy.]

they are getting an average income which is equal to the economic index of that class, although I am free to admit that if you can pay them more naturally you can expect more satisfaction among them. But this sort of trying to advocate the cause of the lower classes or the mental class without reference to what has actually happened to them by way of an increase in their emoluments corresponding to the increase in their living index just to show their sympathy with them is, I think, very ingenious. Therefore I leave that portion of the argument that has been put forward there.

Sir, many other friends have asked many other questions and they are on various minor topics. It is not possible for me to answer all of them, and one friend asked me what has been done with regard to roads in Jalpaiguri area. I find here that there is a programme to be carried out within the next five years of having roads in Jalpaiguri and from Jalpaiguri to other areas and to Siliguri. The total cost that has been put forward for it is Rs. 75,00,000. Sir, I do not want to pursue that particular point any further.

Now I refer to certain remarks which have been made by my friends opposite. It has been said that the salary of the teachers is very low, and particularly that of the primary school teachers. Sir, if I had any choice I will give them the first relief because I do feel—and I make no secret of it—that these worthy people should be given better salaries and emoluments than we have been able to give them so far.

[12-30—12-40 p.m.]

It has also to be remembered that we have today about 40,000 primary school teachers. If we increase even Re. 1 of their salary per month it means an expenditure of 4 lakhs 80 thousand. Some gentlemen suggested that they should be given Rs. 40 as dearness allowance. Calculated on that basis the figure will be $40 \times 40,000 \times 12$ equal to a

very huge figure. It is possible perhaps in the next year or two to consider the question of the primary school teachers and I am at one with those who sympathise with them and plead for their cause. I promise it would be my endeavour to see that these people get a little better salary—not only because they need it but also because we feel that the future generation can only be developed properly if they are trained by a class of people who are contented and who are qualified to train them. From this point of view I feel the primary school teachers should be our concern.

Another proposition which has been put forward, and with which I agree, is that there should not be as far as possible any great distinction in the matter of giving State relief to non-Government and Government institutions. I have been doing my best in various spheres to see that such differences do not exist. My only difficulty is that in the case of a Government institution it is possible for us to mould and control the way in which education should be imparted in a particular institution, but it is difficult for the Government to make the non-Government institutions agree always because they work under a particular constitution given to them by the University under the provisions of the University Act. Last year and the year before last I tried to argue with the principals of these colleges on several occasions and I promised help if they agreed to see that the colleges do not have a very large number of students who never see their teachers in close quarters or perhaps never see their teachers at all during the period of their tuition. It is a very unhealthy state of affairs. I could persuade some of them but it was not possible for many of them to agree and to give effect to the suggestions because of circumstances beyond their control.

There has been a proposal about the juvenile jail. This is a matter which is under the active consideration of the Government. We are

taking steps not merely with regard to the conditions of the juvenile jails but the conditions of the jails as a whole which I think require immediate straightening up.

I was asked about roads from Siliguri. I do not know exactly what my friend wanted to know. I can tell you that there have been two proposals put up to the Government of India by us. One is to have a road from Siliguri ultimately up to Ghum because it is felt that this road would not be so much liable to damage and devastation as the present one; and the other one, a road from Siliguri to Kalimpong on the southern side of the Teesta—instead of going along the northern side which is very prone to devastation. The Central Government is considering both the proposals.

My friend from Darjeeling wanted some posts to be confirmed. If he will kindly let me have the names and the departments concerned I can enquire into the matter. The usual procedure is that whenever there is a new department opened we consider that to be not a permanent liability until it has been demonstrated that it becomes a permanent liability. So long as it is not a permanent feature of the administration the men remain more or less on a temporary basis. I am free to admit that this is not a very healthy state of affairs and I would see what we can do.

We have heard many things—nepotism and corruption and other things and it is easy for people to talk glibly of these things. It is only those who are corrupt see corruption everywhere. I do not say that there is no corruption and no nepotism anywhere. The Government is trying its level best to eradicate them. I have not got the figures with me now. There have been many who have been removed from service because of corruption and many have been demoted.

Sir, I was not here but I had reports. I am told that a member of the Council referred to the Chief Justice and to the talk he had with me with regard to the appointment

of Judges. From reports I have seen, I am speaking. I say every word of his statement is without any foundation in fact. (Interruption.) I do not want interruption. It is very undignified for members of the Council to refer to High Court Judges when they are not here to defend themselves nor are their representatives present here. Nor is it dignified to refer to the Governor. I was told by my great friend Srijut Mukherjee—I wish he had a little more control over his ideas and tongue—I am afraid he has been enthused and he has gone into making statements which on wiser counsel he should not have made. I speak from reports. I was not here at the time the statement was made. In the first place, it has been said that there is a Military Secretary to the Governor. Sir, what has happened is that there is a Secretariat—

Sj. Debendranath Mukherjee:

Sir, I am bound to interrupt. I did not refer to the Military Secretary.

Dr. Bidhan Chandra Roy:

Through Calcutta various dignitaries and members of different Governments pass—members come from outside who have to be attended to and looked after and it is the Secretariat's duty to see that they are properly looked after. I have got a statement of the salary and cost of the appurtenances and expenditure of the Governor's Secretariat since 1937-38. On the whole I find the total expenditure in 1946-47 was 10 lakhs; it is now a little over Rs. 5 lakhs. I must give credit to our Governors; they have voluntarily handed over two of their houses in the Government House estate here and two of their houses in Darjeeling for the use of Government without which we might have to incur more expenditure on this account. It is a matter of congratulation that our Governors have begun to see things from the mass point of view.

Mr. Chairman: It was not Mr. Mukherjee who made reference

[Mr. Chairman.]

to the Governor's Military Secretary. It was another honourable member who made the reference.

Dr. Bidhan Chandra Roy: Srijut Mukherjee referred to the salary and motor car allowance of the Governor and somebody else referred to the Military Secretary.

Some of my friends said there were representations made by the Kanchrapara staff. I have made enquiries about them and I am glad to announce that most of the items of representation have been given effect to and we are considering the remainder now. I may say at once that with regard to these charges—if there are any specific charges or any incidents which can be corroborated by solid testimony, I am prepared to enquire into them personally. But it is no use simply making wild charges of nepotism, corruption, bribery and so on.

[12-40—12-50 p.m.]

Sir, I now come to the question of development. It seems to me that those who have talked about development thought more about the police. They thought that development, police, education were items which were contradictory. I say they all belong to the same category provided they are used in the proper manner and administered in the proper way.

Members have talked about development, for instance, of the Damodar Valley, deep-sea fishing, and bus transport. Sir, one of the things I may say at once is that it is never the intention of the Government to indulge in State trading unless it is found that the trading is such in which the public or the private sector cannot give their proper attention or get proper facilities. Of course every attempt is made to survey an area to find out how best the private sector can take on such trading and only when it cannot be done by private parties that the Government has to take on such a job. Now let me come to deep-sea fishing. Since 1930 the Government of Bengal have been trying, so also the Government of

Bombay have been trying, and the Government of India have also been trying to find out whether there are any possibilities of deep-sea fishing in and around the Indian coast, particularly the Bay of Bengal. This matter came before me in connection with the food problem arising out of hundreds and thousands of people coming here from East Bengal, who in East Bengal were accustomed to have fish as their primary food for their nourishment and it was essential that we should find out some other methods of giving nourishment in the form of fish by obtaining the same from the sea, if possible, inasmuch as more of our territories including the rivers had fallen in and had been taken away by East Bengal, we being left with some tanks and *jheels* to breed fish. As we had no rivers to depend upon for the supply of fish deep-sea fishing had to be investigated. I am glad to say that we are now in a position, after a survey for the two years, to find out the sources in the Bay of Bengal from where fish can be had. I am not against any private party desiring to undertake deep-sea fishing provided they do not sell the fish at a very high price and provided they do not do trading in it which we consider to be anti-social.

With regard to bus transport, my friend Mr. Charu Chandra Sanyal is very greatly interested in bus transport. I believe he is the President of the Bus Transport Union of Jalpaiguri and so naturally he speaks from conviction as well as from information. I can tell him that he has made one mistake, in that he has assumed that 9 pies per mile is the average rate of fare for the bus service of Bengal. He also said that the average cost of a bus mile is 13 annas but he is not correct when he says that the average rate per mile is 9 pies. If it had been so, we should not have been in difficulty. Our average is 5·4 pies per mile. The Bombay Government spends Re. 1·4 per bus mile, whereas the Madras Government spend Re. 1·3·6. So far as this bus transport is concerned it is clear that we have not gone beyond our limits.

The only thing that we have not done is in not following Bombay where the average fare per mile is 8½ pies or Madras where it is nearly 9 pies. If we made 9 pies as the fare per mile we will be in a very good position and derive a good return. My only difficulty has been that we have not the monopoly of the transport service in Calcutta as they have in Bombay or in Madras. In Bombay they have the advantage of a bus service which is integrated with the electricity service and also with the tram service and therefore they are able to adjust their finances. Whereas here our transport is only 3rd of the total transport service and unless we can get the other bus services to agree to an increase in the rates it would be difficult for us alone to do so and thereby to improve the position of our State trading in bus transport but I may say that we are at it and we are trying to investigate this particular point.

Sir, with regard to Development I am afraid those who have talked about the Community Projects or of the other Projects of Development have not done us the honour by reading the statements that have been made by Government from time to time and also by reading the brochures that have been circulated by us from time to time. The Community Project, if I may say so without vanity, was originally adumbrated by myself and in pursuance of the statement I made in September last I felt that there should be some method by which you can integrate the middle-class with the agriculturists. One of the fundamental difficulties in our village life today is that in many villages the best among the men there are not satisfied with the condition of affairs in the villages and so they are migrating to the towns with the result that the towns are becoming overcrowded and the villages have been denuded of the natural leaders of the people. There are some men still there who look after the cultivation of their lands. Ordinarily the middle-class men there, although they may not be cultivating their lands themselves,

used to give directions and advice from time to time to the cultivators and they were the natural leaders of the place. It was necessary therefore to bring these two classes together. It will not do merely to develop the villages even if I put in more seeds, more compost, more roads and so on. All these will not do by themselves because there must be some people there to give the cultivators advice. Therefore we conceived the idea of having a centre where the middle-class people can be taken, where there will be provision of roads, provision of medical services and schools, provision of water-supply and electricity and so forth and where the middle-class people may be induced to take to some form of handiwork which will supply the needs of the villages and the villages will be able to purchase this and in turn give food to the middle-class. Therefore, Sir, we selected those areas where there were irrigation facilities, abundance of water, electricity, etc., because we thought that electricity must be available in the townships and irrigation must be available in the villages. The irrigated area will mean more prosperity to the villages. We have noticed this in the Mayurakshi Project and in the area irrigated under this project the yield has become as least 50 to 60 per cent. more and therefore we wanted to increase the irrigation facilities to the villagers where such facilities do not exist and also give them seeds and manure through small seed stores and at the same time get the facilities of urban life to the people that are in the township. It was further contemplated that in the township there will be medical centres and educational centres which should be available to the villagers and there will be roads connecting the townships with the villages. Therefore, in each community centre we have provided for roads for the townships which will be more or less all weather and *pucca* roads. There will be also roads in the villages under the village but with some freedom of going to the main roads so that the villagers will be in direct touch with

[Dr. Bidhan Chandra Roy.]

the township people and the township people will be in direct touch with the villagers.

[12-50—1 p.m.]

There are those who say that we are wrong in our calculation and in our approach. But let me say that our approach has not only been accepted by our Government but also by the Planning Commission, as well as those who are giving aid from America have agreed to our approach with regard to this particular point. Several speakers have referred to the fact that I have said that there is peace and tranquillity, and so much police is not required. My friends forget that prevention is better than cure. We want more police to prevent the recurrence of those incidents that happened in 1948-49. What will my friends say to this? I have got here a pamphlet entitled "The Task Ahead" issued by the Revolutionary Communist Party of India as late as February 1952 in which it is said that our duty would be to overthrow this Government by violent means. Do you mean to say that any responsible Government with any sense of administration would allow things to go to that stage when any group of people would have the advantage of overthrowing the Government, with the Government sitting idle? Sir, I ask the members, have they not read of a large number of bank dacoities, bank robberies—things like that have happened almost in broad daylight. Do you think that as a responsible person I will let these go on? I shall not be fit to occupy the chair I am occupying if I allow these things to pass unnoticed.

Lastly, my friend S. J. Debendranath Mukherjee raised the point that I am leading this Government to bankruptcy. He talked about my stewardship of the accounts of the Calcutta University. I have got the budget of that University today. He also talked about the Calcutta Corporation of which he was a Mayor for one year. It took my breath away to hear from him that

I have made the Calcutta University bankrupt and I have made the Calcutta Corporation bankrupt. I do excuse him because I do not think he is very strong in accounts. When I took charge of the Calcutta University in January 1924, it will be news to many of you that there were no service rules, there was no graded pay-scale, there was no pension rules, there was no provident fund account, there was no reserve for the University; and when I left the University Board of Accounts in 1936, I left it after providing every individual member of the staff with a grade, with an arrangement for pension and provident fund, with Rs. 5 lakhs in the reserve as well as several lakhs under different items to meet any expenditure. I do not think that it is a sign of bankruptcy. As regards the Calcutta Corporation, it is true that during later years it found itself in difficulty; it may be partly due to the fact that there was no strong force to put the Corporation together and find out a solution of the difficult financial position in which they were left after the war. My friend Mr. Mukherjee should not forget that Calcutta was the main field of war during the period from 1940-45 and the Calcutta Corporation had to incur huge expenditure because of the complete destruction of the roads, and various other items of expenditure had to be met afterwards. It was not possible for them to meet all the expenditure that was necessary. That is not bankruptcy. I declare here and now that the account I put forward, although there is a deficit of 4½ to 5 crores on the revenue side, is not a bankruptcy account at all. When you think of a budget of 37 crores on revenue account you can always realise that some of the items of expenditure are not spent in the year because of various reasons. There may be also increase in receipts from the other side. It has been my experience that since 1947-48 although we were left then with a truncated State with minus 2.4 crores, as a budget minus reserve, we were able

to go ahead and undertake various schemes of development. I do not say that every member, either on this or on that side of the House, would agree to the method in which the Development work has proceeded. But the fact remains that we have undertaken various items of expenditure. We have spent 10 to 11 crores on Development Project in 1950-51 and in 1951-52 we spent nearly 12 crores on Development Project, and for the next five years we took up Development Project of 58.57 crores—probably more. It will depend upon various factors but without courage you cannot go ahead. Without courage you cannot possibly increase either the prosperity of the State or the welfare of the people. My erudite friend the Professor gave me a lecture on what a welfare state would mean. I am a mere medical practitioner. What do I know of big literature? He talked about the basis of taxation. The State Government has got only certain powers of taxation as provided for in the Constitution. We cannot go beyond them. We have the sales tax, the betting tax, the amusements tax, the land tax and the agricultural income-tax where we tax only those people whose net income out of the State is over Rs. 3,000 a year. I ask my Professor friend which among these taxes does he consider has been taken from the masses. He talks too much and he talks glibly. What do the masses contribute and do not contribute? It would be wrong to think that they ever contribute or are likely to contribute towards the economic prosperity of the State except by their labour. If you are developing a State you should have to consider that in India we have got material and man-power—we have got the resources—but we have not got equipments nor the skilled personnel. We have to train our men and we are training them in various technological lines. When the total production budget and development budget are taken up these men will be available for taking up the affairs

of those institutions and departments. I am prepared to listen to any advice and teaching which anybody can give me on the affairs of the State because I feel that I have got an open mind to the last moment. But I will not take anything from anybody who says to me things which are not correct and who bases his conclusions on incorrect data and incorrect figures.

[1—1.3 p.m.]

Let anybody with reason bring forward any statement I am prepared to accept because I feel that everyone including those members of the Opposition Benches must work together if we do want to have a better Bengal tomorrow.

With these words, Sir, I conclude my remarks. (Loud cheers from Government Benches.)

Mr. Chairman: The Secretary will read some messages.

Message from the Assembly.

Secretary to the Council (S. A. R. Mukherjee): The following message has been received from the West Bengal Legislative Assembly:

“The West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 1st July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested

S. K. MUKHERJI,

*Speaker,
West Bengal Legislative
Assembly.*

CALCUTTA,
The 2nd July, 1952.”

[Secretary.]

I lay on the table the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, as passed by the West Bengal Legislative Assembly.

Mr. Chairman: The House stands adjourned till 10 a.m. tomorrow when the consideration of Bills will be taken up.

Adjournment.

The Council was then adjourned at 1-3 p.m. till 10 a.m. on Friday, the 4th July, 1952.

Members absent.

The following members were absent from the meeting held on the 3rd July, 1952:—

- (1) Banerjee, S.J. Sankar Das.
- (2) Nahar, S.J. Bijoy Singh.

COUNCIL DEBATES

Friday, 4th July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 4th July, 1952, at 10 a.m. being the eleventh day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNIT KUMAR CHATTERJI) was in the Chair.

[10—10.5 a.m.]

Mr. Chairman: There are no questions today. We will take up the West Bengal Legislature (Removal of Disqualifications) Bill, 1952—motion by Dr. Bidhan Chandra Roy.

GOVERNMENT BILLS.

The West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the Assembly.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

Sir, with regard to this Bill which has been sent on from the Legislative Assembly, all I need say is this: under the constitution there is a provision that those who hold the post of Ministers will not be disqualified from holding membership of the Legislature. The question is with regard to Parliamentary Secretaries or Parliamentary Under-Secretaries, or any other person not holding a whole-time office under Government. The reason why we have included this provision is that we have often found that a person is sent on deputation to another country or to another part of India and he may have to work as a member of an Enquiry Committee or an Investigation Committee set up and he happens to be absent from the

Legislature for a long period. The question may be raised as to whether he can take any remuneration under such circumstances and, if so, whether he will be disqualified from holding a seat in the Legislature. In order to remove this ambiguity we had issued an Ordinance. The Legislature is now sitting and the matter was placed before the Assembly; it has been passed by the Assembly and has been forwarded to this House for their approval.

With these words, Sir, I move that this Bill be taken into consideration.

The motion of Dr. Bidhan Chandra Roy that the West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Mr. Chairman: Mr. Annada Prosad Choudhuri may move his amendment.

[10.5—10.10 a.m.]

Sj. Annada Prosad Choudhuri: Sir, I beg to move that in clause 2(a), lines 1 and 2, the words "or a Parliamentary Under Secretary" be omitted.

Sir, I shall speak later on about it.

Mr. Chairman: Yes, after all the amendments have been moved honourable members will speak.

Janab Abdul Halim: Sir, I beg to move that clause 2(b) be omitted.

Sj. K. P. Chattopadhyay: Sir, I beg to move that in clause 2(b), lines 1 and 2, for the words "is not a whole-time office remunerated either by salary or by fees" the following be substituted, namely:—

"is remunerated only by travelling allowance, halting charges and similar expenses".

Sj. Charu Chandra Sanyal: I beg to move that in clause 2(b), line 1, after the words "whole-time office" the words "requiring not more than fifteen days attendance in a month" be inserted.

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়! আমি যে সংশোধন প্রস্তাব এনেছি সে বিষয়ে আমার বক্তব্য অতি সংক্ষিপ্ত। আমাদের গভর্নমেন্টের অনেক রকম মিনিষ্টার করা হয়েছে—ডেপুটি মিনিষ্টার, মিনিষ্টার অব স্টেট, ইত্যাদি, তার মধ্যে সশ্রেষ্ঠ পার্লামেন্টারী সেক্রেটারীরও উল্লেখ আছে। আমরা যে বিল পাচ্ছি—বেতনের বিল তাতে পার্লামেন্টারী আন্ডার সেক্রেটারীর উল্লেখ নাই। তাই এখানে যে পার্লামেন্টারী আন্ডার সেক্রেটারীর "ডিস্‌কোয়ালিফিকেশন"এর কথা উল্লেখ করা হয়েছে সেটা অবাস্তব বলে মনে করি। মনে হয় এ যেন ছেলে জন্মাবার আগেই ছেলের নাম দেওয়া হচ্ছে। তারজন্য আমার এই সংক্ষিপ্ত প্রস্তাবে আমি বলি যে যখন পার্লামেন্টারী আন্ডার সেক্রেটারী হবে তখন এ বিষয়ে বিবেচনা করা সংগত। হবার আগে পার্লামেন্টারী আন্ডার সেক্রেটারীর উল্লেখ না থাকা উচিত। তাই আমার মনে হয় আমার সংশোধন প্রস্তাব সরকার পক্ষ গ্রহণ করবেন।

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার! আমার বক্তব্য হচ্ছে যারা "হোল্‌ টাইম" অফিসার নন তাদের এ বিষয়ে কোন "রেমিউনেশন" দেওয়া উচিত নয়। যারা "হোল্‌ টাইম" "ওয়াক" করবেন, তারাই "রেমিউনেশন" পাবেন। মাননীয় মন্ত্রী মহাশয় দেখিয়েছেন যে, যে মন্ত্রীরা কমিশনে কাজ করবেন, যাদের বিদেশে পাঠান হবে বা অন্য কাজ করবেন তাদের জন্য "রেমিউনেশন" দরকার। কিন্তু আমি মনে করি এই "কাজ" বাধ্য যুক্তিসংগত নয়। এই বলে আমার বক্তব্য শেষ করি।

Sj. K. P. Chattopadhyay:

Mr. Chairman, Sir, I have moved this amendment for a very simple reason. The Chief Minister has explained that it may be necessary to depute some one to attend a conference elsewhere. I realise that it may be so. For example, our friend Sri Tara Sankar Banerjee may rightfully be sent to attend a cultural conference and we shall be pleased about it. But in that case, I am sure he will not expect anything more than travelling allowance, halting charges and similar expenses, and we think this is what such persons should get. There is no point in providing "an office which is not a whole-time office remunerated either by salary or by fees". It leaves a big gap through which, as we say, an elephant may pass.

Sj. Charu Chandra Sanyal:

Mr. Chairman, Sir, the object of moving this amendment is to clarify this point. "An office which is not a whole-time office remunerated either by salary or fees". If somebody works for 29 days a month, he also comes within the purview of this clause and just to remove them therefrom that I have moved my amendment that those officers or those persons who temporarily work for less than 15 days a month should get remuneration of this nature. I hope the Government side will accept it.

[10-10--10-15 a.m.]

Mr. Chairman: As there is no one else to speak, Dr. Roy, you can reply.

Dr. Bidhan Chandra Roy:

Sir, I oppose all the amendments.

With regard to the first amendment regarding Parliamentary Under Secretary, this clause has been deliberately put in. Because although there is nothing under contemplation at the moment to have Parliamentary Under Secretary, you cannot go on adding posts every time as members of the Legislature resent that. We may take in some officers not on a permanent basis.

With regard to the amendment of Janab Abdul Halim that clause 2(b) be omitted, Sir, there may be occasions when remuneration has to be paid and we should also see that the member do not lose their seat in the Legislature.

As regards Mr. Chatterjee's amendment, Sir, he accepts the position that there may be occasion when salaries, remuneration, etc., have to be paid—whether it should be paid as a salary, fees or travelling allowances or halting expenses and similar other expenses has to be determined. What he has suggested is very indefinite and vague. Because it may lead to a great deal of confusion and the Accountant-General certainly will object to the expression.

Sj. Charu Chandra Sanyal's proposition is to limit the time. Sir,

we have very often seen that a member goes on deputation to attend a cultural conference and so on and there he might be detained for more than 15 days. For instance, if a member goes to America, he cannot certainly come back in 15 days. So, if a member goes elsewhere for a short period, his seat will not be lost.

Sir, I oppose all the amendments.

The motion of Sj. Annada Prosad Choudhury that in clause 2(a), lines 1 and 2, the words "or a Parliamentary Under Secretary", be omitted, was then put and lost.

The motion of Janab Abdul Halim that clause 2(b) be omitted, was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 2(b), lines 1 and 2, for the words "is not a whole-time office remunerated either by salary or by fees" the following be substituted, namely:—

"is remunerated only by travelling allowance, halting charges and similar expenses",

was then put and lost.

The motion of Sj. Charu Chandra Sanyal that in clause 2(b), line 1, after the words "whole-time office" the words "requiring not more than fifteen days attendance in a month" be inserted, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

[10-15—10-20 a.m.]

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

The Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy:

Sir, I beg to move that the West Bengal Legislature (Removal of Disqualifications) Bill, 1952, as settled in the Council, be passed.

The motion was put and agreed to.

The West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the Assembly.

Dr. Bidhan Chandra Roy:

I beg to move that the West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

Sir, this Bill is also in pursuance of an ordinance which was promulgated at a time when the Legislature was not in session. The operative portions of the Bill are in clause 2 and read, "Any person who is chosen a member of both the Houses of the West Bengal Legislature, and who has not taken a seat in any of the Houses, may, by notice in writing signed by him and delivered to the Secretaries of both the Houses, or to any person authorised by the Governor in this behalf, within ten days from the date of publication in the Official Gazette of the declarations that he has been so chosen or, if such publications have been made on different dates, within ten days from the later of such dates, as the case may be, intimate in which of the Houses he wishes to serve, and any choice so intimated shall be conclusive and his seat in the House in which he does not wish to serve shall thereupon become vacant. In default of such intimation, the seat of such person in the West Bengal Legislative Assembly shall become vacant".

Sir, the reason why this last sentence was put in clause 2(1) which I quoted just now was that usually the Council elections take place after the Assembly elections and if a gentleman puts in his name for nomination to the Council having already been elected to the Assembly it obviously shows his

[Dr. Bidhan Chandra Roy.]

preference for the Council seat rather than for the Assembly seat. If he chooses one or the other and intimates his choice to the Secretaries then that choice is accepted, but if he does not choose to give any intimation then it would be presumed that he does not like the Assembly and would like to be in the Council.

Clause 2(2) runs thus: "If a person who is already a member of the West Bengal Legislative Assembly and has taken his seat in such Assembly is chosen a member of the West Bengal Legislative Council, his seat in the Assembly shall, on the publication in the Official Gazette of the declaration that he has been so chosen, become vacant".

In this connection, Sir, the fact that a gentleman has taken his seat in the Assembly signifies his intention of being a member of the Assembly although he may subsequently be elected a member of the Council.

[10-20—10-25 a.m.]

Therefore it has been provided that once he takes his seat in the Assembly automatically his seat in the Council becomes vacant. On the other hand if a person who is already a member of the West Bengal Legislative Council and has taken his seat in such Council is chosen a member of the West Bengal Legislative Assembly, his seat in the Council will be declared vacant. Assuming, as it always happens, that the Assembly elections take place before the Council is formed, there may be a subsequent vacancy in the Assembly for which a member of the Council might have sent his nomination; if that be so, it would show that he, having taken his seat in the Council and signified his intention of being a member of the Council, if he takes his seat there and then he goes in for a seat in the Assembly, does not like to be a member of the Council but would like to be a member of the Assembly. Therefore, his seat in the Council will be declared vacant. Sir, these are the three

alternative provisions of section 2 to which I need draw the attention of honourable members.

The motion of Dr. Bidhan Chandra Roy that the West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

SJ. Charu Chandra Sanyal: Sir, I beg to move that in clause 2(1), line 6, for the word "ten" the word "fifteen" be substituted.

I beg to move that in clause 2(1), line 9, for the word "ten" the word "fifteen" be substituted.

I beg to move that in clause 2(2), line 4, for the word "on" the words "seven days after" be substituted.

I beg to move that the following words be added to clause 2(2), namely:—

"unless he intimates his intention in writing and delivers the same to the Secretaries of both the Houses stating in which House he wishes to serve within seven days of the publication in the Official Gazette".

I beg to move that in clause 2(3), line 4, for the word "on" the words "seven days after" be substituted.

I beg to move that the following words be added to clause 2(3), namely:—

"unless he intimates his intention in writing and delivers the same to the Secretaries of both the Houses stating in which House he wishes to serve within seven days of the publication in the Official Gazette".

[10-25—10-30 a.m.]

Sir, the explanation is quite simple. Fifteen days instead of ten days are proposed because nowadays the postal transmission takes an unusually long time. Supposing a person is elected and lives in a mufassil area; he cannot get the Official Gazette sometimes even within seven days and taking into consideration the vagaries of Postal transmission of today, five days more have been proposed. I hope, the Government side will kindly accept it.

Then, Sir, about the last two amendments: it is only to allow the person to have the chance of a second thought. Under that clause he goes out automatically, but I want to give him seven days time so that he may think again.

Dr. Bidhan Chandra Roy:

Sir, with regard to the amendments Nos. 1 to 3 of S_j. Charu Chandra Sanyal, I say, they only show his anxiety to encourage a person to become slack. The Gazette is published. It is not a question of the Gazette. The question is that of the intimation to be given by the person. Sir, I oppose all the amendments Nos. 1 to 3.

Sir, with regard to amendment No. 4 I fail to understand what is meant. It is stated in paragraph 2(7) that the persons will be given an opportunity of saying within ten days whether they want to be in this House or the other. In default of such intimation being given, a certain action is taken by the Secretary. Mr. Sanyal says "unless he intimates his intention in writing and delivers the same" and so on. Well, if the person intimates, there is no question. If he does not intimate some action has to be taken. This is not illogical or impractical. Sir, I therefore oppose amendment No 4.

With regard to amendments Nos. 5 and 6, Sir, if, S_j. Charu Sanyal understood the difficulties that come in, and the uncertainties that ensue from persons who have not been taking proper care of the situation that they want to occupy, he would

not have made these amendments. A man has already taken his seat in the Assembly and then he should not go in for a seat in the Council; he has obviously intimated his intention and preference for the House of which he will be a member.

Sir, I oppose all the amendments moved by S_j. Sanyal.

The motion of S_j. Charu Chandra Sanyal that in clause 2(7), line 6, for the word "ten" the word "fifteen" be substituted was then put and lost.

The motion of S_j. Charu Chandra Sanyal that in clause 2(7), line 9, for the word "ten" the word "fifteen" be substituted was then put and lost.

The motion of S_j. Charu Chandra Sanyal that in clause 2(2), line 4, for the word "on" the words "seven days after" be substituted was then put and lost.

The motion of S_j. Charu Chandra Sanyal that the following words be added to clause 2(2), namely:—

"unless he intimates his intention in writing and delivers the same to the Secretaries of both the Houses stating in which House he wishes to serve within seven days of the publication in the Official Gazette",

was then put and lost.

The motion of S_j. Charu Chandra Sanyal that in clause 2(3), line 4, for the word "on" the words "seven days after" be substituted, was then put and lost.

[10-30—10-35 a.m.]

The motion of S_j. Charu Chandra Sanyal that the following words be added to clause 2(3), namely:—

"unless he intimates his intention in writing and delivers the same to the Secretaries of both the Houses stating in which House he wishes to serve within seven days of the publication in the Official Gazette",

was then put and lost.

[Dr. Bidhan Chandra Roy.]

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy:

Sir, I beg to move that the West Bengal Legislature (Prohibition of Simultaneous Membership) Bill, 1952, as settled in the Council, be passed

The motion was then put and agreed to.

The West Bengal Salaries and Allowances Bill, 1952, as passed by the Assembly.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Salaries and Allowances Bill, 1952, as passed by the Assembly, be taken into consideration.

Sir, this Bill refers to the provisions for salaries and allowances to be paid to the Ministers, Deputy Ministers, Parliamentary Secretaries, Speaker, Deputy Speaker, Chairman and Deputy Chairman. Sir, you will notice that this Bill is not in consonance or in conformity with any section of the Constitution, but this is a salary Bill in which we are including various types of officers who may be employed. Members of the Council are certainly aware of the discussion that took place in the Assembly with regard to this Bill. Various criticisms, sometimes uninformed and sometimes abusive have been levelled against the Bill. But I think, Sir, there are no two opinions that officers who work in the Government should be paid some salary. There were two kinds of criticisms. One was with regard to the emoluments and allowances which were considered to be very high by the Opposition and from

the various types of amendments tabled, one begins to think that in spite of the discussions that took place in the other House, members of the Opposition side of the Council still feel that there is room for discussion with regard to the standard of salaries to be paid to the officers.....

[10-35—10-40 a.m.]

Sir, I may tell the members of this Council that we have closely followed the standard which has been laid down, in all the other Provinces in India. In fact the salary we were paying in Bengal for the last four years was low, much lower than that paid by the other Provincial Governments. Now, we have one Government which pays the Chief Minister Rs. 1,500 as salary. In most cases it is about Rs. 1,100 to the Ministers and Rs. 1,200 to the Chief Minister. Secondly, they have provided for some allowances for these Ministers in the form of motor-car allowances, sumptuary allowances, and house rent. The standards that have been laid down in other Provinces have, with certain variations, been reproduced in this Bill. There was also another provision which I later dropped in the Assembly with regard to the provision for a house in any other place where the Minister might think of going in order to carry on his work. We put in this provision in pursuance of a provision like this in all the other Provincial Acts. In Bombay, the Legislature and the Ministry go to Poona for a certain period in the year. In Bihar, they go to Ranchi for a certain period in the year. In Madras, they go to Ootacamund for a certain portion of the year. In Madhya Pradesh, they go to Pachmarhi for a certain period of the year. In Punjab, they go to Simla for a certain portion of the year because the capital is to be changed to some other place. Therefore, Sir, this provision that was made by us was not a very unusual one inasmuch as other Provinces had the custom or the convention of holding not merely the Secretariat organization in the hill station but also of taking the

Assembly members there and holding the sessions of the Assembly there. We, in Bengal, have never done that in our time, but we have had in the past—not after the 15th of August 1947 but previously—a period of time when the Secretariat used to resort to the Darjeeling area for work, the argument being that one could work better in a cooler place than in Calcutta. But the other aspect of the picture has to be also placed before the members of the Council. Repeated representations have been made by the people residing in the hill area to which this Government used to go that due to the Secretariat not going there and the Ministry not going there their trade has been affected very markedly. The Governors one after another have told us to arrange for the Secretariat to move to the hills for a certain period. It is obvious that it is not possible for the Secretariat and the Ministry to go to Darjeeling or any other place which could be regarded as headquarters for a particular period unless arrangements are made for their accommodation and boarding in such places and therefore this provision was made in that Bill. It was, however, quite clear that there were very strong objections to our having the arrangements which were prevalent in all the other States in India, and in view also of the fact that His Excellency the Governor has also placed two of his houses, belonging to his estate in Darjeeling for the use of the Government and its officers, we felt that we need not pursue that arrangement so far as housing and accommodation in the hill area were concerned.

[10-40—10-45 a.m.]

There is another provision, and that is the provision that the Ministers and their families, brothers, sisters, children, sons, daughters and wives, fathers and mothers should get free treatment in the hospitals maintained by Government. The feeling was, both amongst the

members of my party as well as outside, that we should not make such a special provision. If there is an urgent case, if there is a very important case, the Government can always make arrangements for such cases to be treated in the hospitals provided it was considered necessary. Also in view of the fact that the Ministers' salary was proposed to be increased from Rs. 750 to Rs. 1,000, it was felt that the Ministers should provide for such treatment from their own salary rather than that it should be done by Government, particularly because seats available in the hospitals are so few compared to the demands made for seats that it was thought better that we should withdraw that facility.

Now, Sir, we are left with the Bill as before the Council today minus those two arrangements. One of the arguments that has been put forward is that we are spending a large sum of money. I also felt when I heard the different speeches, both here when speaking on the Governor's Speech as also in the Assembly, that the Opposition were too alive to statistics. We have been told that the total expenditure envisaged in the Bill amounts to between Rs. 7 lakhs and Rs. 13 lakhs. It is not very difficult for anybody who knows a little of multiplication, addition and subtraction and division to know what would be the probable expenditure. The total cost as at present envisaged would be in the neighbourhood of Rs. 5½ lakhs. But the point I want to stress is this that it is no use simply thinking in terms of the total emoluments proposed to them. Even in industries and commercial organisations, and even in the concerns of private individuals, there is a ratio between the amount paid to the officials to control the activities of the organisation and the amount of the total expenditure. Now, Sir, if you take the figure for 1939-40, the amount paid to 12 Ministers then amounted to something like 26 per cent. of the total revenue of the State. Now the revenue of the State is Rs. 35 crores.

[Dr. Bidhan Chandra Roy.]

[10-45—10-50 a.m.]

If 5 lakhs is the salary the total expenditure would not be more than 2 of the total revenue.

Another argument has been put forward that I am a foolish person because I employed such a large number of persons when a lesser number of them could do. I may say at once that it was neither necessary nor did I think it desirable to consult the party members as to the number that would be appointed for the purpose of carrying on the administration. I have taken the whole responsibility upon myself. I was called upon by His Excellency to form the Cabinet. I discussed the whole matter with him and it was considered that if we are to carry out projects of various types we have got to employ officers to look after them. Today we are spending as much money for the development projects a year as for the total revenue of 1939-40 of the undivided Bengal. We are spending something like Rs. 12 crores on development projects. The question was, shall we appoint whole-time officers who would be on a graded scale of pay for whom we shall have to provide not only a graded scale of salary but also leave allowances and pension? Or shall we appoint people who will not be a perpetual drain on our finances? For the construction of roads we have got a programme for the next five years of constructing 2,800 miles of pucca road. We have started with 1,500 and we shall have to do another 1,300 miles. The development project will not last for twenty years. We have proposed that it should be finished in five years' time but at the same time there should be some people who have to look after them from the supervision and control point of view. Therefore, I conceived the idea of having a certain number of persons who would be authorised by the Minister to take certain action in different parts of the State and to look after the work that is being done, and then the Cabinet will

come to a decision with regard to a particular project. Secondly, Sir, it was necessary for the carrying out of the development project that we should come into contact with the people. An officer, however educated, has not the training nor the approach to mix with the people and to get their co-operation in a particular work. It has been proved that the officers will have to change their angle of vision. It is true that some of them have changed their angle of vision. But we are thinking of the next five years. We have got to think what we have got to do. We have got no men from heaven to do our work for the different departments. I thought that people who are representatives of the masses and whose interest would be to create that feeling in the people whom they represent, would be able to enthuse the people in the villages and outlying areas much more than the officers. Therefore, from all these points of view I say it was necessary to have a set of persons who, I hope, will be able to justify their inclusion in the Ministry.

Finally, Sir, although I have said in many places that I feel strong enough to work now and for a little while longer, I also realise that most of us have to disappear sooner or later from the field of action. It is possible that from the fourteen Deputy Ministers we shall be able to pick out a few who will take up the responsibilities of office even during the five years.

Sir, I have been charged with the audacity of having five portfolios under my control. People do offer that criticism. In many of the departments I have put in Deputy Ministers and I am hoping that they would be able not merely to get sufficient experience to carry on work as Deputy Ministers but sooner or later they will be able to relieve me of my duties as Minister of some of the departments. Those who say that I have taken too many departments perhaps do not know that even in the last four years I had been taking the care of all these departments and in addition to it I had the Relief and Rehabilitation

Department also on my shoulders. I feel that during the period of transition when we are scheming for big things, when we are aiming at development of different departments, there should be as far as possible a continuity of objective and aim towards which we are moving.

[10-50—10-55 a.m.]

...and to be sure for this I felt that it was necessary for me to be in the picture for a while.

Sir, I do not want to pursue this argument any further. I think I have been able to meet the criticisms that have been levelled against me. I have already said in a press statement that I am making an experiment and I am hoping that other Provinces will also take cue from me and employ them for their development projects. They will also follow the system envisaged by me.

With these words, I move my motion.

Sj. Charu Chandra Sanyal: Sir, I like to move a point of order. When I was hearing the mover of the Bill, I thought this Bill was a portion of the Bill concerning the Deputy Ministers and Parliamentary Secretaries and as such that portion cannot be considered by this House. This House can only consider the question of salaries and emoluments of the Ministers, of the Speaker and Deputy Speaker of the Assembly and of the Chairman and Deputy Chairman of the Council and of no one else. Section 164(5) of the Constitution says: "Salaries and allowances of Ministers shall be such as the Legislature of State may from time to time by law determine". It does not speak of any one else. I shall have to explain whether the Deputy Ministers are Ministers. We find in section 163(I): "There shall be a Council of Ministers with the Chief Minister at the head to aid and advise the Governor." Then 164(I) says: "The Chief Minister shall be appointed by the Governor and other Ministers shall be appointed by the Governor on

the advice of the Chief Minister. So far so, it is all right. Now, there is a notification, dated Friday, 13th June, saying: "The Governor of West Bengal has this day been pleased to appoint Dr. Bidhan Chandra Roy as the Chief Minister of West Bengal and on his advice the following persons as his other Ministers." This includes Deputy Ministers, but in the definition of Ministers in the Constitution nowhere it is said that Ministers mean Deputy Ministers. Then in the Governor's Address which has been accepted and passed by this House, he says: "My Government have accordingly been reinforced by a number of Deputy Ministers who will not only give assistance to my Ministers ..." So the Ministers and Deputy Ministers are two separate entities, two different categories. Again he says: "The Deputy Ministers will provide a valuable link between my Government and the people at large." That is between the Government consisting of the Chief Minister and Ministers and the people. So, these are other people, people other than the Ministers. They are serving as a link. Section 164(I) says: "Before a Minister enters upon his office, the Governor shall administer to him the oaths of office and of secrecy....." This is with regard to Ministers only...

[10-55—11 a.m.]

But in the *Calcutta Gazette, Extraordinary* of June 13, it appeared that "the Governor has this day administered the oaths of office and of secrecy to so many Deputy Ministers". Sir, on the face of it it looks *ultra vires*. The Governor can administer oath only to the Ministers. And if you look at the Form of Oath of Office for a Minister for a State you will see that the form reads: "I so and so*** will bear true faith and allegiance to the Constitution of India as by law established, that I will faithfully and conscientiously discharge my duties as a Minister***". So Ministers and Deputy Ministers are not one and the same person. They are two different categories, and hence

[Sj. Charu Chandra Sanyal.]

Sir, according to clause (5) of Article 164 of the Constitution this Legislature can determine the salaries and allowances of the Ministers and also of the Speaker and the Deputy Speaker and the Chairman and the Deputy Chairman and of none else. So I think it is not proper that this Bill should come before this Legislature in this form. This Legislature can only determine the salaries of the Chief Minister and Ministers, Chairman, Deputy Chairman, Speaker and the Deputy Speaker only and so I submit that this Bill should not have come before this House in its present form and therefore it cannot be considered.

Dr. Bidhan Chandra Roy: When a doctor becomes a constitutional lawyer it becomes very difficult (laughter). But perhaps Mr. Sanyal is not informed of the fact that this question has been raised not once, not twice, but several times in different Legislatures and it has been decided by the various Speakers and Chairmen of the Assemblies and Councils respectively that the word "Minister" includes the "Deputy Minister" but my friend says that the expression "Minister" cannot include "Deputy Minister" and that therefore the salaries of such "Deputy Ministers" cannot be determined by this House. As a matter of fact he himself read out a document to show that the Deputy Ministers were administered the oaths of office and of secrecy by the Governor. The next point that he made was that we were proceeding with this Bill here on the basis of the Constitution of India and under Article 164 thereof. But then I say this Bill doesn't refer anywhere to Article 164 of the Constitution. The Preamble of the Bill is: "The West Bengal Salaries and Allowances Bill, 1952", and so you can as well include in this Bill the salary of a *Chaukidar* of the Assembly.

[11—11-5 a.m.]

We have not said anywhere that this is in pursuance of section 164(2). Therefore, Sir, the Assembly have got the power to legislate that a particular class of people should get a particular salary, and that is what we have done.

On both these counts, Sir, I feel that he is entirely wrong and if he had only informed me beforehand, I would have explained the matter to him and saved the time of the Council.

Mr. Chairman: The question has been raised whether the salaries provision for Deputy Ministers is *ultra vires* of this Bill. I do not think it is the function of the Chair to give a pronouncement on that. The Chair's function is to see whether *prima facie* the consideration of this Bill is admissible or not. It is for a court of law to decide whether the consideration of this Bill is *ultra vires* or not. I think the Bill, as has been explained by the Chief Minister, has been brought here, not under one particular section of the Constitution, but under various articles and sections and under various law-making provisions of the Constitution. It has also been pointed out in the Preamble, it is quite open—"Whereas it is expedient to provide for the salaries and allowances of holders of certain offices and for other matters connected therewith". As regards the status of Deputy Ministers, it has been very plainly said in the notification which has been read out by Mr. Sanyal that His Excellency the Governor of West Bengal appointed such and such persons as his Ministers. Now, there are of course Ministers, and Ministers of various categories; there are Cabinet Ministers, there are Ministers with portfolios and without portfolios; and this is just a special definition which fits some Ministers. So in consideration of all these points I think that the consideration of this Bill is quite admissible.

Now, Mr. Debendranath Mukherjee will speak on the Bill.

8j. Debendranath Mukherjee:

Sir, I was just hesitating whether it would be prudent on my part to oppose the motion of the Hon'ble Chief Minister. In view of the overwhelming number of "ayes" coming from the Treasury Benches drowning the few voices of "noes" and the declarations made by you, Sir, "ayes have it", "ayes have it". I know what would be the fate of my opposition to the motion of the Hon'ble Chief Minister. But still, Sir, I thought of the solemn words of assurance coming from the Hon'ble Chief Minister yesterday that his mind would remain open to the last moment and that if he finds any expression from anybody which stands to reason, which appears to be rational to him, he would be prepared to change his mind. Having remembered that solemn words of assurance, I have ventured to say a few words to appeal to the Chief Minister to consider and to revise his opinion on the question of this Bill.

Sir, the Hon'ble Chief Minister has referred to two or three points. As a matter of fact he has reiterated these points which he raised to the members of the Legislative Assembly.

[11-5--11-10 a.m.]

Firstly, he has said that scale of salaries is lower than the scale of salaries offered by the Government of other States. Sir, as I told you, for the information of the honourable members of this House I looked up the budget of 1952-53 of the Uttar Pradesh and found that the total amount for the Ministry was Rs. 5 lakhs 82 thousand with a total revenue of Rs. 61 crores and odd. Our total income is Rs. 34 crores—almost half—but you will find, Sir, that if this Salary Bill is passed the total demand would be double the amount of Rs. 5,82,000 which is the demand of the Uttar Pradesh. So our income is half but our demand for the salary of the Ministry is double. I did not follow the reasoning of the Chief Minister when he told us that the amount of salary which is paid to

each Minister is lower. We are not concerned with the amount which is being paid to each Minister, but as the representatives of the people and as the citizens of this State of West Bengal we are to look to the total commitments to which by this Bill you are asking the country to be put to. Certainly this is much larger, if we compare it with the demands for the Ministries of the Uttar Pradesh, Bombay or Madras whose areas, as I told you on one occasion, are much larger and whose population is much larger than that of West Bengal. The pressure of population is certainly the largest here but that is why we should be more considerate in the matter of spending money from our Treasury. That is my submission for the consideration of the Hon'ble Chief Minister on point No. 1.

The second point which he has raised is about the necessity of supervision. He says that Rs. 12 crores are going to be spent on the Community Development Project and there must be someone whom he can trust and who can be expected really to supervise what is going on. Crores of rupees are going to be spent and there must be Deputies to look to supervision. Sir, a young man has been entrusted who has not dabbled in politics. For the first time he has come to this House and has been selected as a Deputy Minister to supervise the work of development for reasons best known to the Hon'ble Chief Minister. May I ask if the Chief Minister has not sufficient number of good officers—I.C.S., I.A.S.—whose number he has increased in his department several times the number which was there previously before the Partition of Bengal? May I ask if he considers the officers whom he has as his Secretaries, Deputy Secretaries or Under Secretaries, to be absolutely inefficient? May I enquire whether the officers who are engaged are not worthy of the trust? Then do away with this number. I could well understand if the large number of officers

[Sj. Debendranath Mukherjee.]

doing these duties were considered to be inefficient or unworthy of the trust for which a Deputy Minister would have to be there as a link between the Government on one side and the people on the other.

[11-10--11-15 a.m.]

Then reduce the amount of expenditure which you are spending on the Secretariat. You are increasing the expenditure on Deputy Ministers and also you are increasing the expenditure on I.C.S., officers and other officers. Under Secretaries, Deputy Secretaries. These officers were considered to be very intelligent people, very trustworthy assistants but one fine morning you find that you cannot trust them any more. Sir, Sj. Bhattacharyya said the other day that in the interest of their party, to consolidate their group further the Ministers could not depend on the Secretaries and Assistant Secretaries and for this reason they must have Deputy Ministers to assist them. Sir, this argument does not appeal to us and I am sure it will not appeal to the people of the country. In today's *Ananda Bazar Patrika* we find starvation death reports from Arambagh and Basirhat and I would appeal to the Chief Minister to look to those reports.

The third argument which he has advanced is that he has taken 5 portfolios and naturally he must have assistants to assist him in these five portfolios. We knew or at least we were under the impression that he has got inexhaustible energy, a store-house of energy and he would himself look to these five portfolios and all others whom he will engage would be mere shadows, unsubstantial shadows for whom no amount whatsoever should be spent from our Treasury. If you think these Deputies to be praiseworthy, then you should not go on increasing your I.C.S. or I.A.S. Secretaries. I know that my words would be of no avail. If they were really eager to listen to

reason my words might have had some effect but they are determined not to listen to reason. They are determined to get this Bill passed by both the Houses of Legislature and I find grim determination in the Chief Minister, because in spite of the opposition in the other House, this Bill was passed by the Assembly and it will also be passed by the Council. He has got a clear majority and we on this side of the House have neither the numerical strength nor have we any other kind of strength by which we shall be able to persuade him from changing his decision. Therefore, Sir, in a spirit of frustration... (A VOICE FROM THE GOVERNMENT BENCHES: I pity you) ...Sir, one friend over there says "I pity you". Yes, I deserve your pity, we want to be pitied but not for our cause, not for our own self-interest, we want to be pitied in the cause of the country, in the cause of the people.

[11-15- 11-20 a.m.]

For that I am appealing to you in these words of frustration. You remember your predecessors in office, the same Congress, who sacrificed their lives, who sacrificed all that they could call their own, in the cause of the country, and they were the torch-bearers in our march for the struggle for the liberation of this country. You have now stepped into their shoes. Sir, with all the words of sincerity I would appeal to you in response to your pity to come forward with that spirit of sacrifice. You just give up this Bill or at least suspend this Bill for one year until you can improve the condition of West Bengal, until you find that the famine condition of West Bengal has disappeared. As you are certainly by far the larger group in the Council lead us and we shall follow you. Give up your claim for salaries, give up your claim for allowances and I can assure you that we would not hesitate to follow you, we would not feel ashamed to follow in your

footprints if you proceed in this march of sacrifice in the cause of our people and I would appeal to the Hon'ble the Chief Minister therefore to declare here and now that in the cause of the famine-stricken people, in the cause of those who are hanging themselves to death on account of starvation, let him declare today that the majority party are giving up their claims for their salaries and their allowances and would not take them until they succeed in removing this appalling condition of the general mass of the people and this distress from Bengal and I assure you that we would follow your footprints in a spirit of sacrifice. With these words, Sir, I do repeat again in a spirit of frustration and I appeal to the Chief Minister to suspend this Bill and not to press for the passing of this Bill.

Sj. Subodh Kumar Bose: Mr. Chairman, Sir. The honourable member, Mr. Mukherjee, in opposing the motion for consideration of this Bill has made certain observations, and I would say one or two words about those observations. He is asking the Government to put the Secretaries to the job and he is asking the Government to put the efficient Civil Service to the job, the Secretary, the Deputy Secretaries and all the rest of them. Yes, they are efficient. But he is forgetting one thing, he is forgetting a very fundamental principle of parliamentary democracy. When a State is going to launch on a welfare programme, the Council of Ministers have got to take various kinds of decisions. Some of them may be in the nature of trade decisions and they can only be taken by men who are answerable to the Legislature. Those decisions can never be left to the Civil Service. Those decisions can only be taken by the Council of Ministers or the Deputy Ministers who are answerable to the Legislature and who also are in touch with the people, who know the sorrows and joys of the people and who know the local conditions.

The Civil Service is there to execute and implement the policies, and the Civil Service, though competent, cannot be answerable to the Legislature. That is the fundamental principle which my learned friend the honourable member Mr. Debendranath Mukherjee has forgotten. Secondly, Sir, in implementing this new welfare policy, probably a lot of rule-making powers may have to be given to the Ministry, and certainly these rule-making powers can never be exercised by the Civil Service simply for one reason and that is because they are not answerable to the Legislature. Therefore it is a condition precedent that whenever any welfare State is launching into a very big development programme they must have a sufficient number of Ministers to execute them efficiently and they will remain answerable to the Legislature. With these observations I conclude.

[11-20—11-30 a.m.]

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়।

মাননীয় প্রধানমন্ত্রী মহাশয় তাঁর বক্তব্য শুনতে গিয়ে প্রথমেই বঙ্গের যে অবস্থায় সব আলোচনা হয়ে গেছে এবং এ অশুভ কথার যে পরিষদ সভা, যে সব কথা বিধান সভায় আলোচনা হয়ে গেছে তাই উপর আবার আলোচনা আশঙ্ক্য করেছেন। কিন্তু একটা কথা আমি তাঁকে দিবেচনা করতে অনুরোধ করি যে বিধান সভায় যে দুটো বিষয় তর্কিতল পাহাড়ে যাওয়া এবং বাগানবাড়ী যাবার সেই যে প্রস্তাব এসেছিল সেটা ত্যাগ করেছেন কেন? সেটা কি কেবল লাট সাহেব তাঁর দাম্পত্যলিঙ্গের বাড়ী ছেড়ে দিয়েছেন বলে, না, বিধান সভায় একদল লোক তাঁর সমালোচনা করে তাঁকে বাধা দিয়ে, চারিদিকে— বিধান সভায় এবং বাইরে এমন আনন্দোৎসাহ সৃষ্টি করেছিলেন যার জন্য তাঁকে সেই দুটো বিষয় ছেড়ে দিতে হয়েছিল? অবশ্যে উত্তর দেওয়ার সময় যদি তিনি পরিষ্কার করে বলেন যে প্রকৃত অবস্থা কি তাহলে ভাল হয়। যখন ছেড়ে দিতে চেরেছিলেন তখন আগেই ছেড়ে দিতে পারতেন। তা না করে যখন সংশোধনী এসেছিল তখন এত জল ঘোলা করে ছাড়বার কি দরকার ছিল। তার জন্য মনে হয় যে এই বিল আন্তঃ পাশ হয়ে যাবে। তারা সেখানে একদল লোক বাধা দিয়েছিলেন তার জন্য দুটো বিষয় ছেড়ে দিয়েছেন কিন্তু আমরা বাধা দিয়ে একটা কথা সেমিকোলনও বাদ দেওয়াতে পরব না। কিন্তু এটা জানা উচিত যে বাধা যদি না পান তাহলে কিছুই ছাড়বেন না। বাধা পেয়ে দুটো সংশোধনী গ্রহণ করতে বাধ্য হয়েছেন। কিন্তু তাঁদের তুলে বাধার সম্মুখীন হতে হবে। পরিকল্পনা ককেন নর বাইরে এবং

[Sj. Annada Prosad Choudhuri.]

এই বিলের অনেক জিনিষ ছাড়তে হবে তাদের। তবু কঠোর হিসাবে এখানে কিছু বলি। প্রধানমন্ত্রী মহাশয় যা বলেছেন এর মধ্যে দুটো কথা আছে। এক আছে বেতন বৃদ্ধির কথা আরেক আছে বেতন-ভুক কমচারীর সংখ্যা বা মন্ত্রীর সংখ্যা বাড়িয়ে স্বেচ্ছাবে যাতে গঠনমূলক কাজ করা যায়।

দুটো পৃথকভাবে আলোচনা কসলে দেখা যাবে, কংগ্রেস বেঞ্চ থেকে বলা হচ্ছে যে বেতন না বাড়লে তারা কাজ করবেন না।

(Cries of "shame, shame" from Opposition Bench.)

মাননীয় প্রধানমন্ত্রী মহাশয় কি বেতন বেশী পান? ডাক্তারী কলেজ করতেন তা থেকে? দেশের অর্থের প্রত্যাশা না? চন্দ্র, ক্রান্তি বা স্বাধীনতার প্রত্যাশা না করে ফাঁসি কসে? কুলে, লাঠি খেয়ে, জেলে গিয়ে আজ যদি মন্ত্রীর আসনে বসিয়ে দিয়েছেন তারা কত টাকা বেতন পেয়েছিলেন? আজ যিনি আমাদের মাননীয় ইংরাজের হাত থেকে নিষ্কর্তৃত্ব দিয়ে আমাদের দেশকে স্বাধীন করে দেবার সুযোগ করে দিয়েছিলেন তিনি কত টাকা বেতন পেয়েছিলেন? আজ আমাদের রাজ্যপাল তাঁর দার্জিলিংএর বাড়ী ছেড়ে দিলেন বলে পাহাড়ে বা বাগানবাড়ীতে যাবার সংশোধনী প্রস্তাব গৃহীত হ'ল। আর রাজ্যপাল যেখানে ৫০০ টাকার মাইনে নেবার কথা বলেছেন সেখানে মন্ত্রীদের ৫০০ টাকার জায়গায় ১,০০০ টাকা না হলে চলে না এই কথা যখন বলেন তখন রাজ্যপালের কথা তারা ভুলে যান।

তারপর আমাদের এই একদল মন্ত্রী তারা শৃঙ্খল কাজ করবেন না। এ'রা নাকি পলিশি করবেন এবং জনসাধারণকে উদ্বেগ করবেন যাতে "ডেভেলপমেন্ট প্রোগ্রাম" খুব স্বরাস্ত হতে যায়। উদ্বেগ করবেন কারা? যারা ৫০০ টাকার জায়গায় ৭৫০ টাকা না পেলে চলতে চান না তারা করবেন উদ্বেগ? আর যারা না খেয়ে, জেলে খেতে ভারতকে স্বাধীন করলেন তাদের সেই ত্যাগের পথকে এ'রা ভুলে যাচ্ছেন। মাননীয় যদি তাঁর অতীত আচরণের দ্বারা বিচার করতে হয় তাহলে আমি বলি, ১৯৪৮ সাল থেকে কি হয়েছে দেখা যাক। আমরা লোক বাড়িয়েছি, খরচ বাড়িয়েছি, আমরা "অফিসার" বাড়িয়েছি কিন্তু ১৯৪৮ সাল থেকে দেশের লোক যে স্বাস্থ্যকেন্দ্র স্থাপন করবার জন্য গভর্ণমেন্টের হাতে ১৪১৫ লক্ষ টাকা দান ভুলে গিয়ে ২,০০৮ ইউনিয়নের মধ্যে, প্রধানমন্ত্রী মহাশয় উত্তর দেবার সময় কিছুদিন আগে বলেছেন যে মাত্র ১৭০টি ইউনিয়নে তাঁরা স্বাস্থ্যকেন্দ্র স্থাপন করেছেন ১৯৪৭-৫২ সালের মধ্যে। যদি অতীত আচরণের দ্বারা বিচার করতে হয় তাহলে তাঁকে জিজ্ঞাসা করব টাকার ও অভাব ছিল না, বাজেট পাশ হয়ে গিয়েছিল। দেশের লোক ১০১৪ লক্ষ টাকা দান করেছে কিন্তু দান গ্রহণ করেও তাঁদের জায়গায় আজও স্বাস্থ্যকেন্দ্র স্থাপন করা হয় নি কেন?

তারপর আরেকটা কথা বলি। প্রধানমন্ত্রী মহাশয় নিজে বলেছেন ১৯৫০ সালে ২০ মার্চ বিধান সভায় যে "স্টেট ট্রান্সপোর্ট"এ লোকসন হচ্ছে।

আমি পরশুদিন বলেছি যে অমূলক কমচারীর মাইন ৬০ টাকার জায়গায় ৫০ টাকা হয়েছে কেন? আর অমূলক লোকের মাইন ২৫০ টাকা হয়েছে কেন? তার উত্তর দেন নাই। ১৯৪৮ সালে আজকে যেমন ঠিক সেইরকম ভাবে বলা হয়েছিল আমরা "স্টেট ট্রান্সপোর্ট"এর জন্য এক "কম্পিউটেড ডাইরেক্টরেট" খুলেছি। সেই "ডাইরেক্টরেট"এ ১০০ খানা "বাস" এনে তাব ৭০টা রাস্তায় চলেছে। সেগুলি "পেট্রল" দিয়ে চালাবার কথা—

Mr. Chairman: Will you kindly confine yourself to the Bill which is before the House?

Sj. Annada Prosad Choudhuri:

একই কথা সার। যাদের মাইনে দেওয়া হচ্ছে তাঁদের অতীত কথা আলোচনা করব না—তা না হলে বিচার করব কি করে?

Sj. Narendra Nath Bagchi: These things are repetitions.

Sj. Annada Prosad Choudhuri:

একটু ধৈর্য ধরুন বাস্তব হচ্ছেন কেন? ৪,০০০ টাকা দিয়ে "ডাইরেক্টর" আনলাম তাকে দিয়ে কি কবান হবে না সারা বাংলা দেশে যত রকম "ট্রান্সপোর্ট" হবে সব একত্র করে আমরা "ট্রান্সপোর্ট বোর্ড" করব। তাতে "ট্রান্সপোর্ট" কোং আসবে, তাতে "ইনল্যান্ড ন্যাভিগেশন" আসবে, যদি "আন্ডার গ্রাউন্ড" রেল হয় তাহলে তাও আসবে। তারজন্য ৪,০০০ টাকা মাইনে দিয়ে "ডাইরেক্টর জেনারেল" আনা হ'ল। তারপরে ক্রমশঃ বোঝা গেল "পেট্রল বাস"এ খরচ হয় বেশী "ডিসেল" আনতে হবে, "ডিসেল" আনলে একতলায় চলে না দোতলা আনা দরকার।

Sj. Devaprasad Chatterjea: On a point of order, Sir. Do these matters arise in relation to the Salaries and Allowances Bill?

Mr. Chairman: I will request you, Mr. Choudhuri, to make it relevant.

Sj. Annada Prosad Choudhuri:

তাই যখন ডাঃ রায় ৪,০০০ টাকা মাইনে দিয়ে একজন "ডাইরেক্টর জেনারেল" আনলেন এবং এই ৫ বৎসরের মধ্যে লোকসান হচ্ছে বুঝতে পারা গেল তখন সেই ডাঃ রায় আমাদের কাছে এসে যদি বলেন ১০১২০ লাখ টাকা দিয়ে তরুণ লোক এনে জনসাধারণের সংখ্যা সংযোগ করিয়ে দেবেন—যাদের জীবনে জনসংযোগ ছিল না তাদের দিয়ে "ডেভেলপমেন্ট প্রোগ্রাম" স্বরাস্ত হ'বে তাহলে দেশের জাগ্রত জনসাধারণ তা বিশ্বাস করবে না।

তারপর আরেকটা কথা হচ্ছে সরকারের বেতন-ভোগী আমরা যতগুলি ডেপুটি মিনিস্টার পেরিয়ে গেছি আগেই এবিষয়ে আলোচনা হয়েছে এবং আমার পূর্ববর্তী বক্তা মহাশয় বলেছেন তারজন্য খরচ হবে কত? উত্তর প্রদেশে যে খরচ হয় তার ডবল খরচ হয় আমাদের দেশে। বোম্বাইয়ে—তারাও সেখানে "ডেভেলপমেন্ট"এর কাজ করেন। তাঁদের ১ জন

মিনিষ্টার এবং ৬ জন ডেপুটী মিনিষ্টার দিগে কাজ চলে আর আমরা এখানে যদিও বেছে নিয়ে এলাম তাদের মধ্যে অনেকে তরুণ এবং তারা অনভিজ্ঞ। ৩০ জন—আমরা তাদের এখানে ট্রেনিং দেব যেন আমরা ধরে নিচ্ছি যে ৫ বৎসর পরেও তারা চিরস্থায়ী হয়ে আমাদের ডেপুটী মিনিষ্টার থাকবেন এবং দেশের লোকের আর চোখ খুলবে না।

তারপর আমি বলি এই বিলের মধ্যে যে বেতনের হার নির্ধারিত করা হয়েছে তাতে আমাদের যে অতীত তাকে কল্যাণকর করা হবে। যে অনুপ্রেরণা নিয়ে মহাত্মা গান্ধী অসুখে ডাকলেই বিনা ফিতে প্রধানমন্ত্রী মহাশয় ছুটে যেতেন সেই অনুপ্রেরণার গোড়ায় কুঠার আঘাত করা হবে। আমাদের দেশের কর্মচারীদের কেবল “মারসেনারি” অর্থলোলুপ একমূল কর্মচারীতে পরিণত করবেন। সেই পাথেই নিয়ে যাওয়া হচ্ছে। তাই আমার সনির্বন্ধ অনুরোধ যে সরকার পুরাতন যে বেতনের হার ছিল সেই হারে বেতন নিয়ে কাজ চালাবার চেষ্টা করুন।

[11-30—11-40 a.m.]

Sj. Mohitosh Rai Choudhuri:

মাননীয় সভাপতি মহাশয়, আমি এই বিল সম্বন্ধে কয়েকটা অবজারভেশন—মন্তব্য করতে চাই। আমি জানি—আমরা যা কিছু মন্তব্য করি না কেন—তাতে বিশেষ কিছু ফল হবে না। আমি দুটো বিষয় সম্বন্ধে প্রধান মন্ত্রীমহাশয়কে বিবেচনা করতে বিশেষভাবে অনুরোধ করছি। কাজের দিক দিয়ে দেখতে গেলে যা বেতন দেওয়া ব্যবস্থা হয়েছে তা খুব বেশী নয়। আমাদের প্রধান কর্মচারী ও অন্যান্য কর্মচারী যারা আছেন তাঁদের যে বেতন দেওয়া হয় তার অনুপাতে মন্ত্রীমণ্ডলী, উপমন্ত্রীদের ও সহমন্ত্রীদের যে বেতন দেবার কথা বলা হয়েছে সেটা খুব বেশী বলে মনে করি না। কিন্তু একটা বিষয় ভেবে দেখতে হবে যে যুক্তি দিয়ে বেতন বৃদ্ধি করার কথা আমাদের সামনে উপস্থাপিত করা হয়েছে তার ফল কি? “ইমপ্লি-কেশন” কি? এ জিনিসটা বিশেষ করে ভেবে দেখতে হবে। বেতন যা দেওয়া হোত তা কম কিনা আমি এ প্রসঙ্গে কোন প্রশ্ন উত্থাপন করব না। একথাও তুলবো না যারা মন্ত্রী বা উপমন্ত্রী হয়েছেন তাঁদের নিয়োগের পূর্বে তারা কে কে উপার্জন করতেন? কারণ এ বিলে যে বেতনের হার ঠিক করা হয়েছে—তা বর্তমানে কোন মন্ত্রী বা উপমন্ত্রীর উপার্জন ক্ষমতা বা তাদের যোগ্যতার দিক দিয়ে বিচার করা হয় নি। ভবিষ্যতে এমন লোক আসতে পারেন, যারা এদের চেয়ে অধিকতর উপযুক্ত—তাঁদের কি বেতন দেওয়া হবে—সে দিক থেকে বিবেচনা করে বেতনের হার ঠিক করা হয়েছে। কিন্তু যে কথা বলছিলাম—যে ব্যক্তি দেওয়া হচ্ছে—সেটা হচ্ছে এই, এতদিন ধরে যে বেতন তারা পাচ্ছিলেন তা খুব কম, কারণ প্রবাল্যা বেশী হয়েছে। যুক্তির মধ্যে কোন ফাঁক নেই স্বীকার করি। করাচীতে কংগ্রেস যে বেতনের হার নির্দিষ্ট করেছিলেন, তাও যে আজকের প্রবাল্যা হিসাবে অতি সামান্য—তাতেও সন্দেহ নেই। সুতরাং প্রবাল্যের দিক দিয়ে যদি বিচার করতে হয়, তাহলে যে বেতন দেওয়া হচ্ছে তা অতি সামান্য। কালকে

আমি বলেছিলাম প্রধান মন্ত্রীমহাশয়ের আর মাসে অন্ততঃ ২০ থেকে ২৫ হাজার পর্যন্ত ছিল। তাঁর পক্ষে সাড়ে বার শো টাকা কত সামান্য! কিছুই নয়। কিন্তু এই প্রবাল্যা দিয়ে বিচার করে মন্ত্রীদের কি বেতন হবে বা কি হওয়া উচিত—এ বিচার করা অত্যন্ত দুঃসাধ্য। কারণ এই রাজ্যের যারা মন্ত্রী হবেন তাঁদের কাছ থেকে আমরা আশা করি তারা দেশের লোকের নিকট ত্যাগের উদাহরণ স্বরূপ হোয়ে থাকবেন। কালকে আমি একথা বলেছিলাম এবং সর্বদা একথা আমি অনুভব করি যে আমাদের দুর্ভাগ্য এই—ভাষার বিধানচন্দ্র রায়ের মত উপযুক্ত—এক হিসাবে এত ত্যাগী—এত ত্যাগ করে, তিনি মাত্র এই বারশ টাকা বেতন নিতে এসেছেন। কিন্তু দুর্ভাগ্য এমনিই যে তিনি তাঁর চারিদিকে এমন সব স্বার্থহীন লোক আনতে পারেন নি—যারা ত্যাগের স্বারা দেশে এই নতুন রাষ্ট্রের, নতুন গভর্নমেন্ট সম্বন্ধে একটা উৎসাহ ও একটা প্রাণের ভাব নিয়ে আসতে পারেন। আজ বাস্তবিকই আমরা এটা “ফিল” করতে পারি না যে আমবা একটা নতুন “সেট আপ” এ নতুন রকম গভর্নমেন্ট পেয়েছি। প্রথমে যখন দেশ স্বাধীন হ’ল তখন পুলিশ ও মিলিটারীকে দেখে মনে হয়েছিল যে এরা আমাদের পুলিশ, আমাদের মিলিটারী, গভর্নমেন্টকে মনে হয়েছিল আমাদের গভর্নমেন্ট। কিন্তু আজ আর তাদের দেখে সেটা মনে করতে পারি না। ইংরাজের আমলে এরা যেমন ছিল সেইরকম ভাবেই আজ মনে হচ্ছে। ইংরাজের আমলে যে বেতন মন্ত্রীর পেতেন, সেই বেতন আজ তাঁরা দাবী করলেও যুক্তির দিক দিয়ে কেউ কোন আপত্তি করতে পারতেন না। কিন্তু আজ যখন দেশের দারিদ্র্য অসাধারণ—শুধু দেশের কথা বলছি না গভর্নমেন্টের বিভিন্ন কর্মচারীরাও যখন আজ বেতন বৃদ্ধির কথা বলছেন, এবং সে সম্বন্ধে যখন প্রধান মন্ত্রী বলছেন যে তাঁর ইচ্ছা থাকা সত্ত্বেও তিনি এই বেতন বৃদ্ধি দিতে পারেন না তখন মন্ত্রীদের বেতন তিনি বাড়িয়ে কোন যুক্তিতে? বিশেষ করে শিক্ষকগণের কথাই আমি বলছি—আমি নিজে একজন শিক্ষক। সুতরাং কোন কথা বলতে শিক্ষকদের দুঃখের কথাই আগে মনে হয়। সামনের কয়েকজন বন্ধু আমার এ কথা শুনে হাসছেন। হাসিরই কথা বটে! শিক্ষকদের দুঃখের কথা শুনলে হাসির উদ্ভ্রক হয় বটে! এতদিন পর্যন্ত ব্যবস্থা পরিষদে শিক্ষকগণের দুঃখের কথা বলা হয় নাই। আজ ভিতরে, বাহিরে সর্বত্রই বলা হবে। কাজেই হাসির কোন কারণ নাই। শিক্ষকদের বেতনকে কথা আজ যে শিক্ষকে বলতে হচ্ছে, শিক্ষকদের পারিশ্রমিকের কথা ও শিক্ষকদের মর্যাদার কথা এখানে উপস্থাপিত করতে হচ্ছে—এটাই দুঃখের কথা। এর জন্য প্রত্যেকেরই মাথা লম্জার নত করা উচিত। দেশে যারা সবচেয়ে বড় জ্ঞানী গঠন করছেন, তারা এই শিক্ষক। ডাঃ রায় বলেছিলেন শিক্ষকদের বেতন তিনি অনুভব করেন। আমি সে কথা বিশ্বাস করি। আমি গত ১২ বছর ধরে তাঁর সংগে এ নিয়ে অনেক আলোচনা করেছি। কিন্তু দুঃখের বিষয় শুধু সহানুভূতির স্বারা কিছু হবে না, একে কারো পরিণত করতে হবে। আজ তিনি তা করতে পারছেন না অর্থাভাবে। যারা ২০-২৫ টাকা মাহিলা পায়, সেই প্রাথমিক শিক্ষকের ৩ টাকা ও

[Sj. Mohitosh Rai Choudhuri.]

মাসায়িক শিক্ষকদের ৫ টাকা "জিয়ারেন্স এলাউয়েন্স" দেওয়া হয়। কলেজের অধ্যাপকদের দেওয়া হয় মাসে মাত্র ১০ টাকা "এলাউয়েন্স"। এ যে অতি সামান্য সে কথা ডাঃ রায়ও স্বীকার করবেন। তিনি এবার স্বীকার করেছেন যে যা বেতন শিক্ষকরা পান তা অতি সামান্যই কিন্তু আজ কেবল শিক্ষক নয়, অন্যান্য কর্মচারীরাও জীবন সংগ্রামে বাস্তু হয়ে, উৎপীড়িত হয়ে অভাবের ভাঙনায় বেতন বৃদ্ধির প্রস্তাব করছেন। কিছুদিন আগে পুলিশের কনস্টেবলরাও ১০০ টাকা বেতন বৃদ্ধি চেয়েছে। আবার এগন, পোষ্টাফিসের কর্মচারীরা বেতন বৃদ্ধি চাইছেন। অবস্থা সকলের বড় খারাপ। কেউ খেতে পায় না। তাদের দৃষ্টিতে চোখে জল আসে। গ্রামিণ গভ ইলেকশনের সময় ২৯৪টা বিদ্যালয় বৃদ্ধি-ভিত্তি জেলায় ভিত্তি শিক্ষকদের ও অগণন কর্মচারীদের যে দুঃখ দেখেছি তাতে চোখে জল আসে। সেদিন আমার বন্ধু তাবাক্করবাবু আমায় উপহাস করেছিলেন শিক্ষকদের দৃষ্টিতে চোখের জল ফোলেছি বলে।

(Sj. TARA SANKAR BANERJEE :

সেজন্য নয়, আমাদের গাধার সঙ্গে তুলনা করেছিলেন বলে।)

তার পক্ষে তিনি শিক্ষকদের যে বেতনাময় ছবি ফুটিয়ে তুলেছেন আমি ভাবি তবে নমিনেটেড হয়ে এখনে এসে সে কথা তিনি কি করে ভুলে গেলেন? আশা করি সে কথা তিনি ভোলেন নি কিন্তু এটা সত্যিই দুঃখের কথা তিনি কি করে এ কথা বলেন 'বর্তমানে কর্মচারীদের বেতন ডাঃ রায় কি করে বৃদ্ধি করবেন'?

(Cries of shame, shame from the Opposition Benches.)

Mr. Chairman: Please confine yourself to the Bill.

Sj. Mohitosh Rai Choudhuri:

ডাঃ রায় কি করে এদের দাবী চেপে রাখবেন আজ যদি তিনি মন্ত্রীদের বেতন বৃদ্ধি করেন? আমি জানি এমন অনেককে মন্ত্রী করা হয়েছে যারা আগে বহু টাকা রাজস্বের করতেন, আবার এমন অনেক মন্ত্রীও আছেন একটা কানা কাড়িও আগে যাদের রাজস্ব ছিল না। ডাঃ রায় যে বৃদ্ধি দিয়ে তাদের বেতন বৃদ্ধি করছেন লজিকের দিক দিয়ে "ইট ইজ অল রাইট"। কিন্তু এর যা "ইম্প্রোভেশন" সেটোও একবার ভেবে দেখুন। সুতরাং আমি তাকে অনুরোধ করি যদি সম্ভব হয়—হয়ত সম্ভব হবে না—আমি তাঁকে বলি এই বেতন নিতে তাঁরা যেন রাজি না হন। তিনি তাঁর চাবপাশে এমন একদলকে নিয়ে আসবার চেষ্টা করেন—যারা ভ্যাগের স্বারা, নিঃস্বার্থ কর্মের স্বারা দেশে এমন একটা মনোভাব সৃষ্টি করবেন যাতে দেশবাসী একটা মহৎ আদর্শে অনুপ্রাণিত হয়ে উঠবে। রাশিয়ার সঙ্গে বহু বিষয়ে মতভেদ, কম্যুনিষ্টদের সঙ্গেও বহু বিষয়ে আমাদের মতভেদ। কিন্তু একটা কথা সর্বশাই আমার মনে হয় প্রথমে

যখন রাশিয়ার কম্যুনিষ্টরা রাজ্যের শাসন কার্যের ভার গ্রহণ করলো তখন কি বিরাট ভ্যাগই না তারা করেছিল। ২৫০ রুবল্ মাত্র তাঁদের বেতন ছিল।

(Hear, hear.)

যা হোক যদি এই বিল পাশ হয় তাহলে মন্ত্রী ও উপমন্ত্রীদেব কাছেও আশা করা বোঝা রাজ্যপালের মত অত বেতন যেন কেউ গ্রহণ না করেন, পূর্বের বেতনে যেন তারা কাজ করতে প্রস্তুত হন। আমার বক্তব্য শেষ করার আগে আবার ডাঃ রায়কে বলি "মোস্ট ডেনজারস ইম্প্রোভেশন" এই বিলের যা আছে, সেটা বিবেচনা করে বেতন বৃদ্ধি না করে যদি তিনি পাবেন, তাই চেষ্টা করুন। অনেক জিনিস আমরা তাঁর কাছ থেকে আশা করি কিন্তু দুঃখের বিষয় তাঁর কাছ থেকে তা পাচ্ছি না। যে কোন কারণে হোক না কেন বর্তমানে চারিদিক থেকে তাঁর পাশে এমন সব লোক এসে দাঁড়িয়েছে এবং দাঁড়াচ্ছে যাদের জন্য দেশে সেই মনোভাব সৃষ্টি হ'তে পারছে না যে এটা আমাদের গভর্নমেন্ট। আজ 'অপোজিশন ফর অপোজিশনস্ সেক্' অর্থাৎ স্থানে দেখতে পাচ্ছি। ব্যবস্থা পরিষদে দেখতে পাই, এই বিধান পরিষদেও তাই হবে। কারণ 'নাথ' হলে, "ফ্রাশট্রেটেড" হলে বৃদ্ধি ওকে" খাবা কিছু হবে না বৃদ্ধি "ফ্রাশট্রেটেড" হয়ে "অপোজিশন ফর অপোজিশনস্ সেক্" হবেই। কিন্তু আমি বলি, তা কেন হবে। ডাঃ রায় এমন কাজ করুন যাতে তাঁর যে শক্তি এবং অসীম পরিশ্রম তিনি আমাদের জাতি গঠনের জন্য, নতুন "ওয়েলফেয়ার স্টেট" গঠন করাবার জন্য দিচ্ছেন তা যেন সাম্যসামিতি হতে পারে এবং লোক যেন আমাদের সঙ্গে বলতে পারে যে এটা আমাদের গভর্নমেন্ট। ডাঃ রায় এত ভ্যাগ স্বীকার করে এসে এই কাজ দাঁড়িয়েছেন, তাঁর বয়স ৭০ পার হয়ে গেছে—তিনি ৭১ বছরে পড়েছেন। দীর্ঘকাল ধরে তাঁকে দেখাছি। কি অদম্য তাঁর উৎসাহ! কিন্তু তাই বলে তো তিনি আর চিবকাল বেঁচে থাকবেন না! তাঁকেও চলে যেতে হবে একদিন।

(Laughter.)

Mr. Chairman: Please confine yourself to the discussion of the Bill.

Sj. Mohitosh Rai Choudhuri:

I am doing so, Sir.

Dr. Roy will not live for ever.

তাই আমি বলছি তিনি তো আর স্ত্রীত্বের মত অমর হবেন না! অবশ্য ডাঃ রায়কে তার সঙ্গে তুলনা করা যায় না। অবশ্যম্ভাব্য মতও তিনি রি-কাল অমর হয়ে থাকবেন না। একদিন আসবে যখন তাঁকে চলে যেতে হবে। সেদিন যেন দেশের লোক এই কথা বলতে পারে—স্বাধীনতা লাভের পরে প্রথম মন্ত্রিসভার প্রধান রাষ্ট্রনায়ক হয়ে তিনি এমন সমস্ত কাজ করে গেছেন যাতে তিনি চিরস্মরণীয় হবার যোগ্য।

আবার তাঁকে অনুরোধ করি যদি সম্ভব হয় তবে পূর্বের যা বেতন তার এক কাড়িও যেন তিনি বৃদ্ধি না করেন।

[11-40—11-45 a.m.]

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, for once I differ from my friend Mr Mohitosh Rai Choudhuri. He has gone to the length of comparing our Chief Minister to Sugriva. Sir, that is outrage against which I must protest very vehemently.

I now turn to certain very unfortunate remarks that the Chief Minister thought fit to make in connection with the honourable members of the Legislative Assembly. Behind the back of the honourable members of the Legislative Assembly he said that they had used—the Opposition in the Assembly had used—abusive language. This, I think, is contrary to all parliamentary etiquette. It is not usual for a member to speak against his own colleagues in the House in a separate Chamber and go away with it.

Mr. Chairman: A member of a particular House should not refer to matters with regard to another House.

Sj. Nirmal Chandra Bhattacharyya: Sir, I would have been happy if you had given that ruling when Dr. Roy referred to the abusive language which, according to him, the members of the Opposition of the Legislative Assembly used with reference to his arguments.

Mr. Chairman: No one took objection to that on that occasion. My attention should have been drawn to it when Dr. Roy was making the speech.

[11-45—11-50 a.m.]

Sj. Nirmal Chandra Bhattacharyya: Sir, there is another very grave impropriety committed by our Chief Minister. Dr. Roy dragged in the honoured name of His Excellency the Governor in connection with this Bill. He said he had discussed the Bill with the Governor and he hinted covertly that the Governor had approved of his general policy

enunciated in the Bill. Ordinarily, why ordinarily?—constitutionally the Governor is above party-politics. To drag him into party-politics and to use the great honour that is given to him by all parties in connection with a particular Bill is highly improper. Dr. Roy is a very experienced Parliamentarian. It is very unfortunate that he should have committed these two constitutional improprieties.

Dr. Roy is anxious today to draw his inspiration from the other State Ministries. He said that the other Ministries go to hill stations but he is not doing that. The Ministries in other States get higher salaries, and he is not demanding as much as they draw or he is not exceeding what they wanted. So far as the advantages are concerned, it appears that he is anxious to follow the lead of the other Ministries but so far as the disadvantages are concerned he is not willing to do it. Has he considered the size of the Ministries in other States? Has he compared the size of the Ministries in those States with the size of his Ministry. His argument is, heads I win tails you lose. He will accept the point of view of the Ministries of other States when the point of view seems to help him. When it goes against him he is not for it. That is the kind of queer argument that our Chief Minister has advanced. Even at the risk of repetition I would say that the size of the Ministry was imposed in a way, upon the Chief Minister by the inner division in the Congress ranks. The Congress, devoid of all idealism, has degenerated into a coalition of interests. Anxious to form a stable Ministry, Dr. Roy had to satisfy all the elements. That explains the size of the Ministry. I am not at all hesitant in describing this as nothing but organised loot. A certain number of persons belonging to different groups in the Congress who have managed to get themselves elected to the Legislature are in fact trying to loot

[Sj. Nirmal Chandra Bhattacharyya.]

public money in this manner. We are aware that about 38 to 39 per cent. of the people have elected the Congress to power. That is not an insignificant minority. There is no doubt they do represent a minority. But this minority sent them to the Legislature with the idea that they would carry on administration with reference to the common good of the people.

[11-50-11-55 a.m.]

The way in which the Ministry has been formed, the manner in which its size has been expanded amounts to a fraud upon the confidence that has been reposed in the Congress by the people of West Bengal. Sir, I will refer to one argument that Dr. Roy is never tired of repeating. It is this: he says that there has been a rise in the index of living and commensurate with the rise in the cost of living it is necessary that the existing salaries should be increased. Does he apply this argument to the consideration of the scales that he has given to the lower paid assistants in his offices? After having increased his own salary and the salaries of his associates with what face will he be able to meet these poor starving clerks? It is for him to reply. Possibly he will say that the Ministers do more useful work and what is the nature of that useful work? We are all aware of. Sir, the Chief Minister has recommended that the salaries should be increased. Sir, the condition of the country, to say the least, is terrible. People are dying of starvation. Dr. Roy possibly feels satisfied when he contemplates that his name will go down in the political history of Bengal as the Chief Minister who advocated the increment of the salaries of Ministers when the people were starving. I will not appeal to the Congress benches as my friend Mr. Mukherjee has done. It is absolutely useless to do that because they constitute the

drilled and regimented group of people who have sold their conscience to the Chief Minister..... (Cries of "withdraw", "withdraw" from the Congress Benches)..... Sir, is it unparliamentary?

Mr. Chairman: I think you should withdraw that expression. I think you should not use that expression.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, your ruling is that it is not unparliamentary, but I should not use it. I bow down to your order, it is not a ruling.

Now, Sir, as I was saying, they constitute a drilled and regimented group of people and so I will say nothing to them, but I will say to the Chief Minister that his acceptance of this policy will make the Congress more and more unpopular in the country. I will not appeal to him, as Mr. Mukherjee has done. Mr. Mukherjee is pessimistic but I am not at all pessimistic, because I know that we may not be able to win a vote here but we will win in the end and the cause of the people will triumph. We may lose today, tomorrow may not bring us victory but the day after the people's cause will triumph and the men who are playing ducks and drakes with people's money will be swept off their feet altogether.

Dr. Bidhan Chandra Roy: Sir, an eminent professor has charged me with certain improprieties. Sir, I am not a student of law but I am a simple medical man but even if I were so, I have not done anything wrong. Sir, may I refer him to section 164(I) where it is said "The Chief Minister shall be appointed by the Governor and other Ministers shall be appointed by the Governor on the advice of the Chief Minister". Therefore, when I said that the discussion took place in the other House, I was only following the constitutional procedure in referring to it.

[11-55 a.m.—12 noon.]

Sir, I have heard their arguments but I confess that I am absolutely unconvinced. They talk about "tyag". May I ask how many of them have given up their membership salary for the sake of the starving millions? Sir, I want to know if "tyag" must be in only one direction and should be meant for only one party. They ask, "Why not ask your Ministers and Deputy Ministers to starve?" I may tell Sri Mohitosh Rai Choudhuri that even if we did not take any salary, even then it will be hardly possible to increase the salary of the 56,000 primary school teachers by one rupee. Sir, that is not the way you should look at it. We have got to perform such acts—I say this even at the risk of repeating the same thing over and over again—and we are out to make certain things—by which we could increase the production and improve the welfare of the State. To do that we need certain machinery. My friend Mr. Bose stated what I wanted to say, namely, what the machinery should do. From that point of view I was not convinced with the arguments that were put forward by the Opposition because they always take to a certain line of criticism, and their speeches follow the same trend, the same arguments are repeated by them over and over again in the hope that wrong arguments put forward several times might turn out to be right, which is not the correct position. I heard my friend Sri Annada Prosad Choudhuri say again that only 17 buses were on the road. Where did he get such figures? I say he is wrong but that is neither here nor there and I do not want to proceed further dealing with such things at this Consideration Stage. There are the various amendments also with regard to the various provisions of the Bill on which the opposition members would speak. While moving the motion for consideration I took every effort to place before the Opposition a clear picture and a clear point of

view. I am told that it is only for the purpose of getting together the different parties within the Congress. Let me inform the worthy professor that here again he has gone wrong or he is giving a wrong information knowing it to be wrong. In any case let me tell him that there was no influence from any one or from any side whatsoever with regard either to the number or the personnel of the Ministry. I have said that many times and I repeat that again.

Sir, with regard to the proposition.....

Sj. Nirmal Chandra Bhattacharyya: On a point of order, Sir. The Chief Minister alleged just now that I gave a wrong information knowing it to be wrong. He is thereby attributing motives to me. Is he in order, Sir?

Dr. Bidhan Chandra Roy: I repeat again what I said. He said something which was wrong. I do not think that I have said anything unparliamentary.

Sir, my friend Mr. Annada Prosad Choudhuri has suggested that I have withdrawn that section regarding the movement to the bills because of the opposition. Not at all.

[12—12.5 p.m.]

I had consulted my party, and my party told me that it would be better from all sides that it should be done, and secondly, the Cabinet met the next day and they also directed that it should be done. Sir, I am not quite certain as to what my friends in the Opposition want. But I am perfectly certain of one thing that even if I accepted every proposal of their side, they will still go on opposing because they start with the fundamental proposition that we are bad people, our motives are bad and our actions are corrupt. Under these circumstances there is no question of our meeting on any common ground. Therefore, Sir, I move that the Bill be taken into consideration.

Sj. Annada Prosad Choudhuri:

On a point of personal explanation.
Sir.

মাননীয় প্রধান মন্ত্রীমহাশয় বলেছেন—আমি ভুল বলেছি—৭০টী বাসের কথা। আমি বলছি—১৯৫০ সালের ২০শে মার্চের প্রসিডিন্সের ২৭৫ নম্বর লেখা আছে—ডাঃ বিধানচন্দ্র রায় বহুতা দিয়েছিলেন।

“We first of all purchased a hundred single decker buses and put 70 on the road and gradually we went on expanding until practically throughout the whole of last year we had more or less 130”.

আমি এই কথা বলেছিলাম যে ৭০টী বাস দেওয়া হয়েছে এবং একজন লোককে “অলরেডি” চার হাজার টাকা মাইনে দিয়ে বাসের এই সব “এক্স-পেরিয়েন্ট” চালাচ্ছেন। এটা ও’রই উক্তি। এখন উনি যা বলেছেন—তা অবাস্তব।

[12-5—12-10 p.m.]

The motion of Dr. Bidhan Chandra Roy that the West Bengal Salaries and Allowances Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and a division taken with the following result:—

AYES—34.

Abdur Rashid, Janab Mirza Bagchi, Sj. Narendranath Bandopadhyaya, Sj. Tarakdas Banerjee, Sj. Bankim Chandra Banerjee, Sj. Tara Sankar Basu, Sj. Gurugobinda Bhattacharya, Sj. Bijan Bihari Bose, Sj. Subodh Kumar Chakravorty, Sj. Hridoy Bhushan Chatterjee, Sj. Devaprasad Das, Sj. Hare Krishna Das, Sj. S. Sankar, Santal Deb, Sj. Narasingha Malla Ugal Sanda Dutt, Sj. Labanya Prova Ghosh, Sj. Kamini Kumar Guha, Sj. Prafulla Kumar Guha Ray, Dr. Protap Chandra Kumar, Sj. Siba Prasad Mahanty, Sj. Charu Chandra Majumdar, Sj. Sudhendra Nath Misra, Sj. Sachindra Nath Mookerjee, Sj. Kamala Charan Mookerjee, Sj. Kali Pada Muhammad Jan, Janab Shalikh Mukherjee, Sj. Kamada Kinkar Musharrat Hossain, Janab Pradhan, Sj. Lakhon Roy, Sj. Chittaranjan Roy, Sj. Surendra Kumar Sarangi, Sj. Pannalal Sawoo, Sj. Sarat Chandra Sen, Sj. Prafulla Chandra Sinha, Sj. Kali Narayan Sinha, Sj. Rabindralal

NOES—9.

Abdul Halim, Janab Bhattacharjee, Sj. Durga Kinkar Bhattacharyya, Sj. Nirmal Chandra Chakrabarty, Dr. Monindra Mohan Chattopadhyay, Sj. K. P. Choudhuri, Sj. Annada Prosad Prosad, Sj. R. S. Sanyal, Sj. Charu Chandra Sen, Sj. Debendra Nath

The ayes being 34 and the noes 9 the motion was carried.

[12-10—12-15 p.m.]

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Sj. Debendra Nath Sen: Sir, I beg to move that clause 2(b) be omitted

Sir, I move this amendment for this fact that if you will read clause 4 where it is laid down that “The Chief Minister and each Minister shall be entitled, without payment of rent, to the use of a furnished residence.” Further down below in the clause there is a proviso where there is no amount of money which has to be paid for such furnished house. It is to be decided subsequently by the Government. These two together and if the definition of residence includes gardens, lawns, etc., create quite a good deal of apprehension in our mind. Sir, we think a good deal of money will be spent for the purpose of furnishing these residents of the Chief Minister and other Ministers with gardens, lawns, compounds and other things and therefore I move for the deletion of this clause.

The motion was then put and lost

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that for clause 3, the following clause be substituted, namely:—

“3. There shall be paid to each of the Ministers (including the Chief Minister) a salary at the rate of Rs. 750 per mensem and to

each Parliamentary Secretary a salary of Rs. 500 per month."

Janab Abdul Halim: Sir, I beg to move that in clause 3(I), line 2, for the word and figures "Rs. 1,250" the word and figures "Rs. 750" be substituted.

Sj. Debendra Nath Sen: Sir, I beg to move that in clause 3(I), line 2, for the word and figures "Rs. 1,000" the word and figures "Rs. 750" be substituted.

Janab Abdul Halim: Sir, I beg to move that in clause 3(I), line 2, for the word and figures "Rs. 1,000" the word and figures "Rs. 500" be substituted.

Sj. Debendra Nath Sen: Sir, I beg to move that in clause 3(I), line 3, for the word and figures "Rs. 850", the word and figures "Rs. 500" be substituted.

I also move that in clause 3(I), line 4, for the word and figures "Rs. 750" the word and figures "Rs. 400" be substituted.

[12-15—12-20 p.m.]

Sj. Annada Prosad Choudhuri: I beg to move that the following proviso be added to clause 3(I), namely:—

"Provided that no Minister or Deputy Minister or Minister of State shall be entitled to draw any salary if he has been prosecuted on a charge involving moral turpitude unless a competent court has found the charge against him to be *mala fide* or false."

Mr. Chairman: No. 9 is out of order as the recommendation of the Governor has not come. No. 11 is out of order as it appears to be on the side of frivolity.

Sj. Debendra Nath Sen: I beg to move that in clause 3(2), line 2, for the word and figures "Rs. 500" the word and figures "Rs. 300" be substituted.

Sj. Annada Prosad Choudhuri: I beg to move that the proviso to clause 3(2), be omitted.

Sj. Debendra Nath Sen: I beg to move that in the proviso to clause 3(2), line 1, for the word and figures "Rs. 750" the words and figures "on the scale of Rs. 200—50—400" be substituted.

Sj. K. P. Chattopadhyay: I beg to move that clause 3(3), be omitted.

Sj. Debendra Nath Sen: I beg to move that in clause 3(3), lines 2 to 4, the words beginning with "to each Minister" and ending with "Rs. 150 per month" be omitted.

Sir, I will take all the amendments together and speak briefly. All the amendments really seek to reduce the emoluments, and many arguments in favour of such reduction have been advanced previously at the time of the general discussion of the budget by various members on this side. So I do not like to deal any more with that aspect of the problem. I would like to draw the attention of the House through you to my amendment No. 13 where I have suggested that for the Deputy Ministers at least, instead of giving them a fixed salary, a scale of pay be applied and they be paid on the basis of that scale. I have taken this amendment because the suggestion has come from the Chief Minister himself. He said in advance of this Bill that the Deputy Ministers, particularly the younger ones, are being taken in in order to give them training. I accept that, Sir, that they are being taken in for the purpose of being trained, but then during the period of their training their pay should be lower and as they go on acquiring experience and are qualified to become big Ministers then their salary should be increased. That is why I have suggested the scale of Rs. 200—50—400. Then again, Sir, there should be a check on their increasing efficiency. The Chief Minister has often sought support from businessmen for the purpose of his Bill, and he, on one occasion, I think, referred to Nawab Musharraf Hossain for corroboration of his action. I think Nawab Musharraf Hossain will also bear with me here when I say that an apprentice under training cannot

[Sj. Debendra Nath Sen.]

get the same emoluments as are paid to trained personnel. That is why, Sir, I have put in my amendments and I hope the House will look in to the reasonableness of this amendment and will accept it.

[12-20—12-25 p.m.]

Dr. Monindra Mohan Chakrabarty:

মাননীয় সভাপতি মহাশয়! আমি যে সংশোধন প্রস্তাব এনেছি তার প্রেরণাও আমি কংগ্রেসের সদস্যদের কাছ থেকে পেয়েছি। “ওয়েস্ট বেঙ্গল লেজিস্লেটিভ এসেম্বলী”তে যে “এমেন্ডমেন্ট” গুলি প্রস্তাবিত হয় তার মধ্যে—

Mr. Chairman: I am afraid you are bringing in matters that took place in the other House.

Dr. Monindra Mohan Chakrabarty:

আমি শুধু এইটুকু বলছি যে সেখানে এক কংগ্রেস সদস্য এই প্রস্তাব এনেছিলেন যে—

Mr. Chairman: I am sorry you are again bringing in those matters.

Dr. Monindra Mohan Chakrabarty:

আমার প্রস্তাব হচ্ছে যে প্রধানমন্ত্রীকে ও অন্য সমস্ত মন্ত্রীগণকে মাসে ৭৫০ টাকা করে দেওয়া হউক এবং পার্লামেন্টারী সেক্রেটারীগণও ৫০০ টাকা করে পান। আমার পক্ষ সমর্থনে আমি বলব যে বাংলা দেশের বর্তমান আর্থিক অবস্থায়—যেটা বিরোধী পক্ষ এবং সরকার পক্ষ উভয়েই স্বীকার করেছেন—এত খরচ বাড়াই উচিত নয়। সেইজন্য আমি প্রস্তাব করছি যে প্রধান মন্ত্রীর যে মাহিনা তা অন্য কোন মন্ত্রীর চেয়ে না বাড়িয়ে এক রকম করা হউক। তার কারণ, আমি বিশ্বাস করি যে ধন সাম্য হওয়া উচিত। এই দৃষ্টিতে প্রধান মন্ত্রী এবং অন্যান্য মন্ত্রীর মধ্যে তফাৎ থাকবার কারণ নাই এবং তফাৎ থাকা উচিত নয়। সেইজন্য আমার বক্তব্য যে আমার সংশোধন প্রস্তাব গ্রহণ করবেন।

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার, আমি আমার “এমেন্ডমেন্ট”এ বলেছি যে প্রধান মন্ত্রীমহাশয় ১,২৫০ টাকা শ্বলে ৭৫০ টাকা কোরে পাবেন এবং ডেপুটী মিনিষ্টারেরা ৫০০ টাকা কোরে পাবেন। অবশ্য প্রধান মন্ত্রী-মহাশয় বলেছেন যে দেশকে গড়ে তোলার জন্য, মন্ত্রীর কাজে লোককে শিক্ষিত কোরে তোলার জন্য ট্রেনিং দেওয়া দরকার। আমি প্রধান মন্ত্রীমহাশয়কে অনুরোধ করছি যে দেশের যে বর্তমান অবস্থা চলছে—তাতে লোক খেতে পাচ্ছে না, ৪০ লক্ষ লোক দু’ভিক্ষের কবলে পড়ে মরণের পথে এগিয়ে চলেছে সেই সময় এই মন্ত্রীমহাশয়দের—যারা কংগ্রেসের সদস্য ছিলেন, যারা কংগ্রেসের কাজ করেছেন, নিঃস্বার্থভাবে দেশের কাজ করেছেন বোলে দাবী করেন তাদের অনুরোধ করব যে বর্তমান অবস্থায় এত টাকা নেবেন না। দেশের স্বাধীনতা আনবার

জন্য লোক প্রাণ দিয়েছে, জেলে গিয়েছে, নির্যাতন হয়েছে, নিঃস্বার্থভাবে ত্যাগ করেছে। আন্ত কংগ্রেস গদীতে বসে এত টাকা দাবী কেন করছেন? নিঃস্বার্থভাবে ৫০০ টাকা নিয়ে কাজ করতে পারেন। ৫০০।৭৫০ টাকা তাঁদের পক্ষে যথেষ্ট। এই বলে আমি অনুরোধ করছি যে আমার এই “এমেন্ডমেন্ট”টা তাঁরা মেনে নেবেন।

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়! আমার দুইটি সংশোধনী প্রস্তাব আছে। আমি শ্রিতীয় ১২ নং প্রস্তাব সম্বন্ধে বলছি যে তৃতীয় ধারার ২য় উপ-ধারায় আমার আপত্তি আছে। আমার বক্তব্য এই যে আমি একটু আগে প্রধান মন্ত্রীমহাশয়ের কাছে শুনলাম যে তিনি কাহাকেও উপাস করে থাকতে বলছেন না। আমরা বা আর কেউ মাইনা “ফোরগো” করছি না। আমি এইটুকু বিবেচনা করতে বলি যে অন্য পার্লামেন্টারী সেক্রেটারীরা যদি ৫০০ টাকা মাইনা পান প্রধান মন্ত্রীর একজন সৌভাগ্যবান পার্লামেন্টারী সেক্রেটারী ৭৫০ টাকা মাইনে পাবেন এটা খুব বিসদৃশ। তাই আমি সরকারকে এটা বিশেষ করে বিবেচনা করতে বলি যে ভাল কাজ করবার জন্য কি মন্ত্রীদের বেশী বেতন দিতে হবে? এখানে একজন উপমন্ত্রী শিক্ষকদের সম্বন্ধে বলেছেন যে টাকা দিয়ে বিচার করা হবে না। জনসাধারণের কাছে তাঁদের “স্টেটাস” বাড়িয়ে দেওয়া হবে। তাতেই তাদের অভাব পূরণ হবে। তা যদি হয় তাহলে প্রধান মন্ত্রীমহাশয়ের যিনি পার্লামেন্টারী সেক্রেটারী হবেন তাঁরও “স্টেটাস” বাড়বে। তিনি ত যথেষ্ট সম্মান পাবেন। তাকে ত বেশী মাইনে দেওয়ার কারণ দেখা যায় না। তাকেও সকলের সঙ্গে সমান মাইনে দেওয়ার ব্যবস্থা করা হোক।

আরেকটা “এমেন্ডমেন্ট” তাতে আমি আরেকটা “প্রোভাইসো” যোগ করে দিতে বলাচ্ছি। এ তিনি ধারার এক উপধারার ভিতর। তা এই:—

“Provided that no Minister or Deputy Minister or Minister of State shall be entitled to draw any salary if he has been prosecuted on a charge involving moral turpitude unless a competent court has found the charge against him to be *malafide* or false.”

সাধারণ কর্মচারীর বেলায় এই নিয়ম প্রয়োগ করা হয়ে থাকে। যদি কোন জায়গায় এই ধরনের “কেস” হয়, যাতে “মরাল টারপিটুড” হয়, তাতে তার যদি শাস্তি হয় তাহলে কোন একজন মন্ত্রী সেই নিয়মের মধ্যে আসবেন না কেন? যদি তার শাস্তি না হয়? ধরুন পল্লিশ ফাইনাল রিপোর্ট দিলে তার বিরুদ্ধে কোন রকম “কেস” হতে পারবে না। কিন্তু যদি “সর্বাভিসন্যাল অফিসার” সেটা গ্রহণ না করেন বা “সেসান”এ যদি বা সেই সব “কেস” যায় তাহলে অনেক সময় “ডিপার্টমেন্টাল ইন্সপেক্টারী” হয়ে যদি কোন লোকের বিরুদ্ধে, কোন সরকারী কর্মচারীর বিরুদ্ধে, কোন আদালতে শাস্তি না হয় তাহলেও “প্রোপ্রাইটি” বা শাসনতান্ত্রিক দৃষ্টিকোণে সরকারী চাকরীতে না রাখার ব্যবস্থা আছে।

এই বাস্কা বা সরকারী চাকরীদের বেলায় আছে সেটা মিনিষ্টার, ডেপুটী মিনিষ্টার, মিনিষ্টার-অব-স্টেটস বেলায় প্রযোজ্য হোক আমি এই প্রস্তাব যোগ করতে বলেছি। আশা করি সরকার পক্ষ তা মেনে নেবেন।

[12-25—12-30 p.m.]

Sj. K. P. Chattopadhyay: Sir, in this Bill there is provision for salary of the Chief Minister and other Ministers. There is provision also for use of a rented house, furnished house or a house rent at a definite rate. There is provision also for a conveyance charge. In my amendment I have suggested that the further provision of sumptuary allowance should be dropped. There is a special provision in the budget for reception of delegation, expenditure connected with reception to Missions, etc.; these are public functions in which the Ministers take part but for their private entertainment at their residence I fail to see why tax-payers should pay.

I move that this clause be deleted.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir. I will speak principally on two points. First, regarding the increase of salary that has been proposed for the Chief Minister and the Deputy Ministers. I will take up that point first. The Congress benches including the Chief Minister possibly are aware that only the other day President Prasad argued that it was necessary that the whole nation should follow an austerity programme during the time when the five-year plan would be worked by the nation for the advancement of the people. Is this the way in which the austerity programme is being accepted by our Chief Minister? Or does he think that austerity is meant for the people and not for some fortunate persons who have managed to get into positions of power and influence?

There is another point which has been raised by my friend Mr. Sen. He has very reasonably and very pertinently proposed a salary scale for Deputy Ministers. The Chief Minister has himself argued and he

argued with vehemence that they are under training. In other words, he has opened in fact a training school for ministers. In other countries this kind of training is given outside the Parliament and not at the expense of the people. Here is an attempt on the part of our Chief Minister to train some people belonging to a certain political party for the advantage of the party at the expense of the people. Let him do so. We merely urge that there should be a scale. If they are really under training there should be a scale. Mr. Muhammad Jan is guided by business principles and possibly he will support me when I say that even if he has to appoint an apprentice in his firm he would not certainly give him the highest salary to start with. Let the apprentices start on a lower salary and go up afterwards.

For these reasons, Sir, I support Mr. Sen's amendment.

Chairman: The various amendments to clause 3 of the Bill are before the House. We take them up seriatim. The first is the amendment of Dr. Monindra Mohan Chakrabarty.

[12-30—12-40 p.m.]

The motion of Dr. Monindra Mohan Chakrabarty that for clause 3 the following clause be substituted, namely:—

“3. There shall be paid to each of the Ministers (including the Chief Minister) a salary at the rate of Rs. 750 per mensem and to each Parliamentary Secretary a salary of Rs. 500 per month”;

was then put and lost.

The motion of Janab Abdul Halim that in clause 3(I), line 2, for the word and figures “Rs. 1,250” the word and figures “Rs. 750” be substituted, was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 3(I), line 2, for the word and figures “Rs. 1,000” the word and figures “Rs. 750” be substituted, was then put and lost.

The motion of Janab Abdul Halim that in clause 3(1), line 2, for the word and figures "Rs. 1,000" the word and figures "Rs. 500" be substituted, was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 3(1), line 3, for the word and figures "Rs. 850" the word and figures "Rs. 500" be substituted, was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 3(1), line 4, for the word and figures "Rs. 750" the word and figures "Rs. 400" be substituted, was then put and lost.

The motion of Sj. Annada Prosad Choudhuri that the following proviso be added to clause 3(1), namely:—

"Provided that no Minister or Deputy Minister or Minister of State shall be entitled to draw any salary if he has been prosecuted on a charge involving moral turpitude unless a competent court has found the charge against him to be *mala fide* or false",

was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 3(2), line 2, for the word and figures "Rs. 500" the word and figures "Rs. 300" be substituted, was then put and lost.

The motion of Sj. Annada Prosad Choudhuri that the proviso to clause 3(2) be omitted, was then put and lost.

The motion of Sj. Debendra Nath Sen that in the proviso to clause 3(2), line 1, for the word and figures "Rs. 750" the words and figures "on the scale of Rs. 200—50—400" be substituted, was then put and lost.

The motion of Sj. K. P. Chattopadhyay that clause 3(3) be omitted was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 3(3), lines 2 to 4, the words beginning with "to each Minister" and ending with "Rs. 150 per month" be omitted, was then put and lost.

The question that clause 3 do stand part of the Bill was then put and a division taken with the following result:—

AYES—34.

Abdur Rashid, Janab Mirza Bagchi, Sj. Narendranath Bandopadhyaya, Sj. Tarakdas Banerjee, Sj. Bankim Chandra Banerjee, Sj. Sunil Kumar Banerjee, Sj. Tara Sankar Basu, Sj. Gurugobinda Bhattacharya, Sj. Bijan Bihari Bose, Sj. Subodh Kumar Chakravorty, Sj. Hriday Bhusan Chatterjee, Sj. Devaprasad Das, Sj. Hare Krishna Das, Sja. Santi Deb, Sj. Narasingha Malla Ugal Sanda Dutt, Sja. Labanya Prova Ghosh, Sj. Kamini Kumar Guha, Sj. Prafulla Kumar Guha Ray, Dr. Protap Chandra Kumar, Sj. Siba Prasad Mahanty, Sj. Charu Chandra Majumdar, Sj. Sudhendra Nath Misra, Sj. Sachindra Nath Mookerjee, Sj. Kamala Charan Mookerjee, Sj. Kali Pada Muhammad Jan, Janab Shaikh Mukherjee, Sj. Kamoda Kinkar Musharraf Hossain, Janab Pradhan, Sj. Lakhan Roy, Sj. Chittaranjan Saraogi, Sj. Pannalal Sawoo, Sj. Sarat Chandra Sen, Sj. Prafulla Chandra Sinha, Sj. Kali Narayan Sinha, Sj. Rabindralal

NOES—10.

Abdul Halim, Janab Bhattacharjee, Sj. Durga Kinkar Bhattacharyya, Sj. Nirmal Chandra Chakrabarty, Dr. Manindra Mohan Chattopadhyay, Sj. K. P. Choudhuri, Sj. Annada Prosad Prosad, Sj. R. S. Rai Choudhuri, Sj. Mohitosh Sanyal, Sj. Charu Chandra Sen, Sj. Debendra Nath

The Ayes being 34 and the Noes 10 the motion was carried.

Adjournment.

The Council was then adjourned at 12-40 p.m. till 9-30 a.m. on Monday, the 7th July, 1952.

Members absent.

The following members were absent from the meeting held on the 4th July, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Nahar. Sj. Bijoy Singh.
- (3) Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Monday, the 7th July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Monday, the 7th July, 1952, at 9-30 a.m. being the twelfth day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

GOVERNMENT BILLS.

The West Bengal Salaries and Allowances Bill, 1952, as passed by the Assembly.

Clause 4.

[9-30—9-35 a.m.]

Mr. Chairman: Honourable members will move their amendments to clause 4 of the West Bengal Salaries and Allowances Bill, 1952. Mr. Debendra Nath Sen who is to move his amendment is not here. He may move his amendments when he comes.

Janab Abdul Halim: Sir, I beg to move that for clause (1) the following clause be substituted, namely:—

“4. (1) The Chief Minister and each Minister shall be entitled to a house allowance of 10 per cent. of the salary.”

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that for sub-clause (1) of clause 4, the following sub-clause may be substituted, namely:—

“(1) The Chief Minister and each Minister shall be entitled to a house allowance of not more than 20 per cent. of the salary.”

Mr. Chairman: The other amendments may be moved by members when they come. Janab Abdul Halim may move his amendment.

Janab Abdul Halim: Sir, I beg to move that clause 4(2) be omitted.

আমি আমার “এ্যামেন্ডমেন্ট” সম্পর্কে কয়েকটি কথা বলতে চাই। চীফ মিনিস্টার এবং অন্য মিনিস্টারদের হাউস এলাউয়েন্সের খাতে যে সব টাকা চেয়েছেন—৩৫০ টাকা ইত্যাদি এবং “ফানিশ্‌ড্ হাউস” সম্পর্কে তাঁদের যে “শিডমাণ্ড” আছে সে সম্পর্কে আমি বলছি যে তাঁদের “স্যালারি”র ১০ “পার সেন্ট” পাওয়া উচিত। কেন না মাননীয় প্রধান মন্ত্রী মহাশয় বলেছেন যে তিনি, মধ্যবিত্তের জন্য স্বর্ণ রচনা করবেন। তার জন্য বড় বড় বিল এনেছেন, কেন না তাঁরা দেশের কাজ করার জন্য দেশবাসীকে নতুনভাবে প্রেরণা দেবেন এবং মধ্যবিত্তের অবস্থার উন্নতি করবেন, কিন্তু বর্তমানে মধ্যবিত্তেরা যে অবস্থায় আছে, তারা যে রকম অবস্থায় বসতীতে বাস করে, কলকাতা শহরে তাঁদের যে রকম ঘরের অবস্থা তা আমরা জানি। তাঁদের অনেকেই এখানে ঘর পায় না। বসতীতে যে সব সাধারণ লোক বাস করে তাঁদের ঘরের ব্যবস্থা নাই। এই যখন মধ্যবিত্তের অবস্থা তখন মন্ত্রী মহোদয়দের প্রাসাদোপম গৃহের প্রয়োজন নাই। তাঁরা যখন মধ্যবিত্তের জন্য স্বর্ণ রচনা করছেন তখন সেই স্বর্ণ রচনা কার্য সাফল্যমণ্ডিত করার জন্য যদি নিজেরা কিছু ত্যাগ স্বীকার করেন, যদি তাঁরা প্রাসাদোপম বাড়ি, বাগান বাড়ী ও অট্টালিকা ত্যাগ করে যদি সাধারণভাবে যেমন মধ্যবিত্তেরা বাস করছে সেই রকম ঘরে বাস করেন, তাহলে জনসাধারণের কাছে মনে করবে যে সত্যিকার ভাবে তাঁরা মধ্যবিত্তের জন্য চিন্তা করছেন। কিন্তু আমার মনে হয় তা নয়। কারণ মধ্যবিত্তের সম্পর্কে তাঁরা যদি চিন্তা করতেন, তাহলে অবস্থা যদি উন্নত করতে চাইতেন তাহলে তাঁরা আজ গদী পেয়ে মন্ত্রীর আসনে এসে বড় বড় দাবী রাখতেন না। সেইজন্য আমি মনে করছি যে বর্তমানে সাধারণ মানুষ যে ভাবে বাস করে তাঁদেরও সেই অবস্থায় থাকা উচিত এবং সেই নিয়ে তাঁদের কাজ করা উচিত এবং সেইভাবে যাতে সত্যিকার দেশকে গড়ে তুলতে পারেন সেই আদর্শ নিজেরা দেখিয়ে কাজে অগ্রসর হউন। এইটাই আমার অনুরোধ। তাঁদের যে বেতন সেই বেতনের ১০ “পার সেন্ট”এর বেশী দাবী করা উচিত নয়। হাজার হাজার মানুষ খেতে পায় না, অনাহারে দিন কাটাচ্ছে, তাঁদের ঘর নাই, এ অবস্থায় আমাদের মন্ত্রীমহোদয়গণ অন্যান্য কংগ্রেস কর্মীর মত দেশের কাজ নিঃস্বার্থভাবে করুন। মন্ত্রীর আসনে এসে তাঁদের এত বড় বড় বাড়ী আর এত টাকার দরকার কি? তাঁদের অট্টালিকার দরকার কি, “ফানিশ্‌ড্ হাউস”এরই বা দরকার কি? সাধারণ মানুষ চটেতে শূয়ে থাকতে পারে, তাঁদের কাপড় চোপড় অতি কম—নাট বস্ত্রই হয়, এ অবস্থায় মন্ত্রীমহোদয়দের প্রাসাদোপম বাড়ীর কি দরকার তা বুঝতে পারছি না। সেই জন্য আমার মনে হয় যে তাঁদের বেতনের ১০ “পার সেন্ট”ই তাঁদের পক্ষে যথেষ্ট।

[9-35—9-40 a.m.]

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, we see in the West Bengal Salaries and

[Dr. Monindra Mohan Chakrabarty.]

Allowances Bill, 1952, in addition to a provision for high salaries to the Chief Minister and the other Ministers, a supplementary provision has been made for a house allowance of Rs. 350 per month or, in the alternative, such charges for accommodation in a hotel, boarding house or apartment as the State Government may by order determine. I think that the Ministry or the Cabinet should make it a point to move with the times. We all know that the State of West Bengal is passing through a crisis and as such, we think in their action and in their examples the Ministry or the Cabinet should do nothing which go contrary to the spirit of the times. We know that for the past four years the Government has been unable to provide housing for most of the middle-class people and for most of the other classes, and the middle class is passing through great difficulties. I have proposed that the Chief Minister and each Minister should be entitled to a house allowance of not more than 20 per cent. of their salary. If we take into account clause 3 of the Bill and if according to my amendment the house allowance becomes 20 per cent. of the salary, the Chief Minister will be able to draw somewhere near Rs. 250, and the other Ministers about Rs. 200; the Minister of State somewhere near Rs. 170; and so on. That will not involve very great hardship for most of the Ministers, because it is very well known that very few of the Ministers have lived in such standards as to demand this high sum for house allowance. Moreover, I think the Chief Minister has been a bit too considerate over the provision of this house allowance. I am reminded of a song which ran thus: "I want to be happy. I cannot be happy unless I can make others happy." The Chief Minister has apparently sought to make his Deputy Ministers and the other Ministers very happy indeed.

[9-40—9-45 a.m.]

Now, Sir, on the grounds I have mentioned, on the reasonings I have given, this provision of 20 per cent. of the salary as house allowance is just and I therefore move my amendment and I hope it will be accepted.

Mr. Chairman: Mr. Rai Choudhury, you were absent when the amendments standing in your name were called. Will you kindly now move them. According to the procedure of the House, if a member is not present at the time when the amendment is called, his amendment will be considered as not to have been moved. But today we have started earlier and as the members are not accustomed to such early sittings, I allow the amendments to be moved. But I think this should not be cited as a precedent in future.

Sj. Mohitosh Rai Choudhury: Sir, I beg to move that the following proviso be added to clause 4(I), namely:—

"Provided that no house allowance shall be given to the Chief Minister or other Ministers if they live in their own house."

মিস্টার চেয়ারম্যান, সাব, এ সম্বন্ধে আমার বিশেষ কিছু বলবার নাই। কেবল একটী কথা বলার আছে। যদি কোন প্রধানমন্ত্রী বা অন্য কোন মন্ত্রী—তার নিজের বাড়ীতে থাকেন এবং মিনিস্টার হবার পর অন্য কোন ভাড়াটে বাড়ীতে উঠে গিয়ে না থাকেন, তাহলে তার কোন হাউস এলাউন্স পাওয়া উচিত নয়—বা নেওয়াও উচিত নয়। এর আগে দেখেছি—গভর্ণমেন্টের উচ্চতন কর্মচারীদের মধ্যে দেখেছি—তাদের নিজের বাড়ীতে থেকেছেন বা স্ট্রীর নামে বেনামী করা বাড়ীতে থেকেও তাঁরা হাউস এলাউন্স নিয়েছেন—বহুদিন ধরে। তারপর একাউন্ট্যান্ট জেনারেল যখন সে কথা জানতে পেরেছেন, তখন তাঁদের কাউকে কাউকে সেই সমস্ত ভাড়ার টাকা ফেরৎ দিতে হয়েছে। আরও অনেক ক্ষেত্রে দেখতে পাই—প্রধান কর্মচারী এবং কোন কোন মিনিস্টারের কথা আমি শুনোঁছি, অবশ্য আমার ব্যক্তিগত অভিজ্ঞতা সে বিষয়ে নেই, তাঁরা নিজের বাড়ীতে থেকে এসেছেন বরাবর, অথচ তাঁরা তাঁদের হাউস এলাউন্সও নিয়েছেন। এটা করা ঠিক নয়, উচিত নয়, নিজেদের পক্ষেও সমীচীন নয়, অন্য লোকের পক্ষেও সমীচীন নয়। যদি কোন মিনিস্টার বা প্রধানমন্ত্রী তাঁর নিজের বাড়ীতে থাকেন, বা তাঁর স্ট্রীর বাড়ীতে

থাকেন, বাস্তবিকপক্ষে তাঁর স্ত্রীর বাড়ীও এক হিসেবে তাঁর বাড়ী, তাহলে তার জন্য তাঁর বাড়ী ভাড়া পাওয়া উচিত নয়—বা নেওয়াও উচিত নয়।

[9.45—9.50 a.m.]

Sj. Debendra Nath Sen: Sir, I beg to move that clause 4(1) be omitted.

I also beg to move that in clause 4(1), line 5, for the word and figures "Rs. 350" the word and figures "Rs. 200" be substituted.

I further beg to move that the following further proviso be added to clause 4(2), namely:—

"Provided further that such charges shall not exceed Rs. 200 per month."

Sj. Charu Chandra Sanyal: I beg to move that the following words be added to clause 4(1), namely:—

"The cost of accommodation in the latter case shall not exceed Rs. 350 per month."

I further beg to move that the following words be added to clause 4(2), namely:—

"The expenditure for furnishing the Chief Minister's residence shall not exceed Rs. 8,000 and that for other Ministers shall not exceed Rs. 5,000."

Sj. Debendra Nath Sen: Sir, my amendments fall into two groups. The first group seeks to delete clause 4 altogether and the second group seeks to reduce the amount set apart for house allowance as also for furnishing residences. The meaning of the amendments is obvious and so I do not like to deal in detail with any one of them. Only, Sir, I would like to refer to my last group of amendments. If you look at clause 4 the last proviso provides that "all expenditure for such furnishing of residence shall be on such scales as the State Government may by order determine." Now the residence will be furnished. We have seen in the definitions earlier in the Bill that such a

residence includes gardens, quarters for staff, etc., but the money that is to be spent for furnishing the residence has not been fixed. It is an indeterminate amount and the amount will be fixed subsequently by the Government. That is a loophole through which enormous sums of money will flow for these purposes. Therefore, I have suggested another proviso to this, and also suggested the deletion of the whole clause, if the latter be possible.

Sj. Debendra Nath Sen: May I be permitted, Sir, to move amendment No. 21 on behalf of Sj. Nir-mal Chandra Bhattacharyya as he has not yet come?

Sj. Chairman: You can do so in your own name.

Sj. Debendra Nath Sen: With your permission, Sir, and at short notice I beg to move that the following proviso be added to clause 4(1), namely:—

"Provided that a Chief Minister or a Minister shall not be entitled to the above house allowance if such Chief Minister or Minister continues to occupy the house in which he was in habitual residence without any payment of house rent immediately before appointment as Chief Minister or Minister."

The motion of Sj. Debendra Nath Sen that clause 4(1), be omitted was then put and lost.

The motion of Janab Abdul Halim that for clause 4(1) the following clause be substituted, namely:—

"4 (1) The Chief Minister and each Minister shall be entitled to a house allowance of 10 per cent. of the salary."

was then put and lost.

[Sj. Debendra Nath Sen.]

[9-50—9-55 a.m.]

The motion of Dr. Monindra Mohan Chakrabarty that for sub-clause (1) of clause 4, the following sub-clause may be substituted, namely:—

“(1) The Chief Minister and each Minister shall be entitled to a house allowance of not more than 20 per cent. of the salary.”

was then put and lost.

The motion of Sj. Debendra Nath Sen that in clause 4(1), line 5, for the word and figures “Rs. 350” the word and figures “Rs. 200” be substituted, was then put and lost.

The motion of Sj. Charu Chandra Sanyal that the following words be added to clause 4(1), namely:—

“The cost of accommodation in the latter case shall not exceed Rs. 350 per month.”

was then put and lost.

The motion of Sj. Debendra Nath Sen that the following proviso be added to clause 4(1), namely:—

“Provided that a Chief Minister or a Minister shall not be entitled to the above house allowance if such Chief Minister or Minister continues to occupy the house in which he was in habitual residence without any payment of house rent immediately before appointment as Chief Minister or Minister.”

was then put and lost.

The motion of Sj. Mohitosh Rai Choudhuri that the following proviso be added to clause 4(1), namely:—

“Provided that no house allowance shall be given to the Chief Minister or other Ministers if they live in their own house”.

was then put and lost.

The motion of Janab Abdul Halim that clause 4(2) be omitted was then put and lost.

The motion of Sj. Charu Chandra Sanyal that the following words be added to clause 4(2), namely:—

“The expenditure for furnishing the Chief Minister's residence shall not exceed Rs. 8,000 and that for other Ministers shall not exceed Rs. 5,000”

was then put and lost.

The motion of Sj. Debendra Nath Sen that the following further proviso be added to clause 4(2), namely:—

“Provided further that such charges shall not exceed Rs. 200 per month”

was then put and lost.

[9-55—10-00 a.m.]

The motion that clause 4 do stand part of the Bill was then put and a division taken with the following result:—

AYES—29.

Abdur Rashid, Janab Mirza Bagchi, Dr. Narendranath Bandopadhyaya, Sj. Tarakdas Banerjee, Sj. Bankim Chandra Banerjee, Sj. Tara Sankar Basu, Sj. Gurugobinda Bhattacharya, Sj. Bijan Bihari Bose, Sj. Subodh Kumar Chakravorty, Sj. Hridoy Bhuvan Chatterjee, Sj. Devaprasad Das, Sj. Hare Krishna Das, Sj. Santi Ghosh, Sj. Kamini Kumar Guha, Sj. Prafulla Kumar Guha Ray, Dr. Protap Chandra Kumar, Sj. Siba Prasad Mahanty, Sj. Charu Chandra Misra, Sj. Sachindra Nath Mookerjee, Sj. Kamala Charan Muhammad Jan, Janab Shaikh Mukherjee, Sj. Kamada Kinkar Pradhan, Sj. Lakhan Roy, Sj. Chittaranjan Roy, Sj. Surendra Kumar Saraogi, Sj. Pannalal Sawoo, Sj. Sarat Chandra Sen, Sj. Prafulla Chandra Sinha, Sj. Kali Narayan Sinha, Sj. Rabindralal

NOES—8.

Abdul Halim, Janab Bhattacharyya, Sj. Nirmal Chandra Chakrabarty, Dr. Monindra Mohan Chattopadhyay, Sj. K. P. Choudhuri, Sj. Annada Prosad Rai Choudhuri, Sj. Mohitosh Sanyal, Sj. Charu Chandra Sen, Sj. Debendra Nath

The Ayes being 29 and the Noes 8, the motion was carried.

[10—10-5 a.m.]

Clause 5.

The question that clause 5 do stand part of the Bill was then put and a Division taken with the following result:—

AYES—30.

Abdur Rashid, Janab Mirza
Bagchi, Dr. Narendranath
Bandopadhyaya, Sj. Tarakdas
Banerjee, Sj. Bankim Chandra
Banerjee, Sj. Tara Sankar
Basu, Sj. Gurugobinda
Bhattacharya, Sj. Bijan Bihari
Bose, Sj. Subodh Kumar
Chakravorty, Sj. Hriday Bhushan
Chatterjee, Sj. Devaprasad
Das, Sj. Hare Krishna
Das, Sj. Santi
Ghosh, Sj. Kamini Kumar
Guha, Sj. Prafulla Kumar
Guha Ray, Dr. Protap Chandra
Kumar, Sj. Siba Prasad
Mahanty, Sj. Charu Chandra
Majumdar, Sj. Sudhrendra Nath
Misra, Sj. Sachindra Nath
Mookerjee, Sj. Kamala Charan
Muhammad Jan, Janab Shaikh
Mukherjee, Sj. Kamada Kinkar
Pradhan, Sj. Lakhon
Roy, Sj. Chittaranjan
Roy, Sj. Surendra Kumar
Saraogi, Sj. Pannalal
Sawoo, Sj. Sarat Chandra
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha, Sj. Rabindralal

NOES—7.

Abdul Halim, Janab
Bhattacharyya, Sj. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, Sj. K. P.
Choudhuri, Sj. Annada Prosad
Sanyal, Sj. Charu Chandra
Sen, Sj. Debendra Nath

The Ayes being 30, the Noes 7, the motion was carried.

[10-5—10-10 a.m.]

Clause 6.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that the following proviso be added to clause 6, namely:—

“Provided that a Minister of State or Deputy Minister shall not be entitled to the above house allowance if such Minister of State or Deputy Minister continues to occupy the house in which he was in habitual

residence without any payment of house rent immediately before appointment as Minister of State or Deputy Minister.”

Sj. Mohitosh Rai Choudhuri:

Sir, I beg to move that the following proviso be added to clause 6, namely:—

“Provided that no house allowance shall be given to the Minister of State or a Deputy Minister if they live in their own house.”

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, the amendment which stands in my name is a very simple one. It seeks to introduce a very slight modification of the clause mentioned, namely, clause 6. I do not argue that the Minister of State or Deputy Minister will not be entitled to house allowance under any circumstance. What I argue is that if he continues to be in a residence, in a house where he was in habitual residence before he accepted the responsibilities of his office without payment of house rent, then he will not be entitled to house allowance. You will, Sir, notice that there is the mention of “conveyance allowance” and I am not touching it by my amendment at all. I merely argue that a person who is occupying the house which he was occupying without payment of rent just before assuming the responsibilities of office as Minister of State or Deputy Minister is not really in justice and fairness entitled to draw any house allowance from the State Treasury, because if he were not appointed to the post of Minister of State or Deputy Minister he would have in fact been in occupation of the same house and he would have to spend the money necessary for running the house.

[10-10—10-15 a.m.]

For this reason I think that it would be a kind of unfair imposition on the State treasury to expect the State treasury to part with such large sums of money at the end of

[Sj. Nirmal Chandra Bhattacharyya.]

every month. Sir, the Civil Service Regulations constitute a guide to the understanding of this question. You are aware, Sir, that according to Civil Service Regulations most of the officers of State are not entitled to house allowance, some are; but if they happen to be residents in their own houses in respect of which they do not pay any rent, they are not entitled to any house allowance at all. I believe that there should be the same standard of justice for Deputy Ministers and Ministers of State and for the civil servants. That is our contention. You will, therefore, notice that the amendment that I have moved is of a very simple nature and I have no doubt that the reasonable ones among those sitting on the Congress Benches will agree with me that the demand that has been put forward by the Chief Minister is not really justified.

Sir, the other day in the course of his speech in the Council the Chief Minister said that in the interests of the State it was necessary that all sections of the House should act together. We do not believe in opposition for the sake of opposition. We approach the public questions in a spirit of constructive criticism, and we are extending to him the hand of fellowship and co-operation. But co-operation must be of a bi-lateral nature. If he wants to impose his will on us without any rhyme or reason, we are not going to listen to it. We hope, Sir, that reason will prevail with the Chief Minister and he will see his way to accept this very simple amendment which introduces a slight modification in the clause, namely clause 6.

Sj. Mohitosh Rai Choudhuri:

আর একটি এমেন্ডমেন্ট সম্বন্ধে একটু আগেই আমি যে কথা বলেছি—সেই কথাই আমার এখানে বক্তব্য। সুতরাং এ বিষয়ে আর পুনরাবৃত্তি করা নিঃপ্রয়োজন বলে মনে করি। যাঁর বাড়ী আছে এবং সেই বাড়ীতে যিনি আছেন, তাঁর হাউস এলাউন্স পাওয়া উচিত নয়—এবং নেওয়াও উচিত নয়।

The motion of Sj. Nirmal Chandra Bhattacharyya that the following proviso be added to clause 6, namely:—

“Provided that a Minister of State or Deputy Minister shall not be entitled to the above house allowance if such Minister of State or Deputy Minister continues to occupy the house in which he was in habitual residence without any payment of house rent immediately before appointment as Minister of State or Deputy Minister”,

was then put and lost.

The motion of Sj. Mohitosh Rai Choudhuri that the following proviso be added to clause 6, namely:—

“Provided that no house allowance shall be given to the Minister of State or a Deputy Minister if they live in their own house”,

was then put and lost.

[10-15—10-20 a.m.]

The motion that clause 6 do stand part of the Bill was then put and a division taken with the following result:—

AYES—33.

Abdur Rashid, Janab Mirza Bagchi, Dr. Narendranath Bandopadhyaya, Sj. Tarakdas Banerjee, Sj. Bankim Chandra Banerjee, Sj. Sankar Das Banerjee, Sj. Tara Sankar Basu, Sj. Gurugobinda Bhattacharya, Sj. Bijan Bihari Bose, Sj. Subodh Kumar Chakravorty, Sj. Hriday Bhusan Chatterjee, Sj. Devaprasad Das, Sj. Hare Krishna Das, Sj. Sja. Santi Dutt, Sj. Labanya Prova Ghosh, Sj. Kamini Kumar Guha, Sj. Prafulla Kumar Guha Ray, Dr. Protap Chandra Kumar, Sj. Siba Prasad Mahanty, Sj. Charu Chandra Majumdar, Sj. Sudhirendra Nath Misra, Sj. Sachindra Nath Mookerjee, Sj. Kamala Charan Mookerjee, Sj. Kali Pada Muhammad Jan, Janab Shaikh Mukherjee, Sj. Kamada Kinkar Pradhan, Sj. Lakhon Roy, Sj. Chittaranjan

Roy, Sj. Surendra Kumar
Saraogi, Sj. Pannalal
Sawoo, Sj. Sarat Chandra
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha, Sj. Rabindralal

NOES—9.

Abdul Halim, Janab
Bhattacharyya, Sj. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, Sj. K. P.
Choudhuri, Sj. Annada Prosad
Mukherjee, Sj. Debendranath
Rai Choudhuri, Sj. Mohitosh
Sanyal, Sj. Charu Chandra
Sen, Sj. Debendra Nath

The Ayes being 33 and the Noes 9, the motion was carried.

[10-20—10-25 a.m.]

Clause 7.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that for clause 7, the following clause be substituted, namely:—

“7. The Chief Minister, the Deputy Ministers and the Parliamentary Secretaries shall be paid travelling expenses as actually incurred and a daily allowance at the rate of Rs. 15 per day while travelling on public business.”

I beg to move further that in clause 7, lines 1 and 2, the words “Ministers of State” be omitted.

I also move that the following proviso be added to clause 7, namely:—

“Provided that the Ministers will not be allowed to incur expenses on account of tours exceeding the limit of Rs. 2,000 a year.”

Mr. Chairman, Sir, the clause about which I have moved my amendments runs as follows: “The Chief Minister, the Ministers, the Ministers of State, the Deputy Ministers and the Parliamentary Secretaries shall be entitled to travelling and daily allowances while touring on public business at such rates and upon such conditions as the State Government may by rules determine.” Sir, the amendments which I have sought to move only limit this expenditure and on a perusal of amendment

No. 33 you will find that I have given a reasonable sum as daily allowance and for the actual expenses of the Ministers. The Chief Minister has asked previously for the co-operation of this side of the House. Sir, I have moved very reasonable amendments because we know that huge sums of money were involved in touring expenses of the Ministers during the last few years. Unless under special circumstances, there must be a limit to such expenses. We have a feeling that in the name of tours the Ministers spend too much money for purposes other than State purposes.

Therefore I seek to move my amendments and I hope they will be accepted.

The motions were then put and lost.

[10-25—10-30 a.m.]

The question that clause 7 do stand part of the Bill was then put and a Division taken with the following result:—

AYES—33.

Abdur Rashid, Janab Mirza
Bagchi, Sj. Narendranath
Bandopadhyaya, Sj. Tarakdas
Banerjee, Sj. Bankim Chandra
Banerjee, Sj. Sankar Das
Banerjee, Sj. Tara Sankar
Basu, Sj. Gurugobinda
Bhattacharya, Sj. Bijan Bihari
Bose, Sj. Subodh Kumar
Chakravorty, Sj. Hriday Bhusan
Chatterjee, Sj. Devaprasad
Das, Sj. Hare Krishna
Das, Sj. Santi
Dutt, Sj. Labanya Prova
Ghosh, Sj. Kamini Kumar
Guha, Sj. Prafulla Kumar
Guha Ray, Dr. Protap Chandra
Kumar, Sj. Siba Prasad
Mahanty, Sj. Charu Chandra
Majumdar, Sj. Sudhrendra Nath
Misra, Sj. Sachindra Nath
Mookerjee, Sj. Kamala Charan
Mookerjee, Sj. Kali Pada
Muhammad Jan, Janab Shaikh
Mukherjee, Sj. Kamada Kinkar
Pradhan, Sj. Lakhan
Roy, Sj. Chittaranjan
Roy, Sj. Surendra Kumar
Saraogi, Sj. Pannalal
Sawoo, Sj. Sarat Chandra
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha, Sj. Rabindralal

NOES—9.

Abdul Halim, Janab
 Bhattacharyya, S. J. Nirmal Chandra
 Chakrabarty, Dr. Monindra Mohan
 Chattopadhyay, S. J. K. P.
 Choudhuri, S. J. Annada Prosad
 Mukherjee, S. J. Debendranath
 Rai Choudhuri, S. J. Mohitosh
 Sanyal, S. J. Charu Chandra
 Sen, S. J. Debendra Nath

The Ayes being 33 and the Noes 9 the motion was carried.

[10-30 to 10-35 a.m.]

Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Salaries and Allowances Bill, 1952, as settled in the Council, be passed.

S. J. Debendra Nath Sen: Mr. Chairman, Sir, I beg to oppose this Bill, not for the reason that high emoluments have been fixed for Ministers or Deputy Ministers or Parliamentary Secretaries, but for the underlying implications in the Bill. In my opinion, if the Bill is passed, it can be utilised for the purpose of annihilating democracy, particularly parliamentary democracy, in this State of West Bengal. I will try to develop my point. But before I do so, let me dispose of certain other aspects which are very important so far as the Opposition is concerned. We find that a very persistent attempt is being made during the last fortnight or so

to belittle the Opposition. We don't mind getting defeated in votes, but we strongly oppose this attempt which is being done not only here but also in other Legislatures. It has become almost a habit for the party in power to give no proper recognition to the Opposition. That is against healthy development of democracy, particularly parliamentary democracy. This phenomena of the opposition arises because there are social contradictions, contradictions in our society. We represent particular interests and we stand here because we represent those interests and we demand to be recognised by the party in power; that is done everywhere, in every country. When Britishers left this country, Mr. Attlee was in power; he consulted Mr. Churchill. When Mr. Churchill went to America this time, he had Mr. Attlee associated with him; and at every stage in other countries where democracy is functioning, particularly parliamentary democracy, the Opposition is taken into consideration and consulted.

[10-35 to 10-40 a.m.]

Where is the attempt on the part of the party in power to give due recognition to us—to take us into confidence? It cannot be that we are all speaking unreasonable things—because we represent a social tendency just as that side represents the reactionary tendency of the society; we represent the progressive tendency of the society and whatever we say cannot always be unreasonable. This opposition is the development of democracy. It is really a check upon democracy not getting deteriorated into autocracy. Therefore, we came to be recognised and we do not like to hear of such things as “You are irresponsible” or “Even if I agree to what you say, you would still continue to oppose.”

Sir, if the Bill is passed it will give ample scope and opportunity to the party in power really to annihilate parliamentary democracy in this State. That possibility arises from one fact. There is no limit to the size of the Cabinet and there is

no limit to the number of Ministers or Deputy Ministers or Parliamentary Secretaries. Any number can be appointed by the Chief Minister if the Bill is passed. What is there to prevent the Chief Minister from appointing not only 30, which he has already done, but, say, three times that number. There is no constitutional bar either in the Bill or elsewhere preventing the Chief Minister from appointing all his party-members as Ministers, Deputy Ministers or Parliamentary Secretaries. Of course, there are checks which arise out of a sense of propriety, out of respect for convention, out of respect for precedents, out of a sense of unity with the masses in their sorrows and sufferings. But, is our Chief Minister going to bind himself to any of these limitations, to any of these conditions? We want to hear him say what is there to prevent him still further increasing the number of Ministers and Deputy Ministers. Not only the total money involved will be increased: it may not be 5 lakhs—it may even go up to 30 lakhs or even more. But there is the danger of the whole Parliamentary democracy getting corrupted. Then the members on that side will vote not because the Chief Minister is doing something right—not because his policy is right—not because such policy is in the interest of the people of this State—but because they have been bribed and because they have been paid—because of the lure of power they will vote. It means an end of democracy in this State. Sir, nobody will say that the Chief Minister has no capacity—Napoleon too had capacity—Hitler had capacity. The Chief Minister is a man of outstanding ability; so were Hitler and Napoleon. The real factor is not to have capacity but how that capacity is utilised. That is the main question. Hitler used his capacity not for the benefit of his people, nor for the benefit of the world. So was also the case with Napoleon. In fact, Napoleon converted the finest revolution in the world—the first revolution of the modern period—into, first an autocracy and,

then into a monarchy. So was done by Hitler too. In earlier history Caesar was suspected of doing so. We all know that. The point is not that the Chief Minister has capacity. The point is how he is utilising his capacity.

[10-40 to 10-45 a.m.]

Is he aping Napoleon or Hitler or is he following their paths? That is the point at issue. Of course this much must be said to his credit that in Bengal nobody would say that he does anything for personal gain or for money. He has enough money and from that point of view he has sacrificed to join the Ministry. But, Sir, it is not love of money that always counts. In his case it is love of power. He has been so much taken away by this love of power that he does not know what reaction his action is bringing in the country. Does he think that the country is supporting him?

Sj. Subodh Kumar Bose: On a point of order, Sir. Is it not a personal reflection on the Chief Minister to say that love of power has made him taking all these things—

Mr. Chairman: He should not use those expressions of that type. Please confine yourself to the Bill.

Sj. Debendra Nath Sen: Sir, the other day the Chief Minister was bold enough to say that the rest of India would follow what he does today. It is just like an autocrat. Does he know how his action is dwindling the fair name of the whole of India? It is a disgrace upon the fair name of Bengal. Nobody in India will adopt such things as are being done in Bengal. Nobody will imitate him in this respect of Salaries Bill. Has anybody written to him from any part of India that he or they have followed his action? Sir, history has placed him in the crest of affairs at a crucial moment of Bengal's life. It is a proud privilege to be a Chief Minister at this time and he could have done many good things if he wished to. Sir, the history will record how he has failed and failed miserably. I will request the

[Sj. Debendra Nath Sen.]

Chief Minister to tell us in what direction the people have progressed during his 5 years' rule, economically, politically and socially. What is the increase in the percentage of education? Have we been able to get more food during this time?

[10-45 to 10-50 a.m.]

Will he tell us whether during his five years' rule the longevity of the masses has increased? (SOME MEMBERS OF THE GOVERNMENT BENCHES: Certainly.) Give us figures but please do not give us those figures which are nothing but jugglery. (INTERRUPTIONS) I rejoice at these interruptions because I rejoice at the prospect of fight. But, Sir, if we look at the total effect of this administration upon this State we find that the reactionaries have grown and have gone up, capital has gone up, it is more ambitious, it is more arrogant, it has become more repressive. But what about the masses? It is going down, and that is the total effect of this administration and our Chief Minister has become the pivot for the reactionaries in this province to grow, to consolidate and to exploit. With these few remarks, Sir, I again oppose.

Sj. Devaprasad Chatterjea: On a Point of Order, Sir. I think the honourable member who spoke just now has been always making personal reflections on the Chief Minister. I think he can criticise the actions of the Ministry but not give his opinion about the ministers personally.

Mr. Chairman: Which words in his speech do you object to?

Sj. Devaprasad Chatterjea: I saw that his line of argument was becoming too personal.

Mr. Chairman: When the remarks became too personal I interrupted him and asked him not to comment on personalities but to speak of the Government and the ministry in general, and, after that, I think that, so far, he has not

transgressed the limits of gentlemanliness. He should be allowed to proceed without interruption and it will be my business to see that he does not say what he should not say.

Sj. Annada Prasad Choudhuri:

মাননীয় সভাপতি মহাশয়! যে বিল আমাদের সম্মুখে উপস্থিত করা হয়েছে আমি তার বিরোধীতা করি। কিন্তু আমি বিরোধীতা করি বা না করি কয়েক মিনিটের মধ্যেই ভোটের জোরে সেই বিল পাশ হয়ে যাবে। অথবা এ বিষয়ে যা বিল প্রধান মন্ত্রীমহাশয় উত্তর দেবার সময় সে বিষয়ের উত্তর নাও দিতে পারেন। কিন্তু আমি তাকে কয়েকটা কথা বিবেচনা করতে বলি। তিনি সেই কথাগুলি যে ভাবে ইচ্ছা নিতে পারেন।

আমি ব্যক্তিগতভাবে কংগ্রেসের সঙ্গে ৩০ বৎসর যোগাযোগ রক্ষা করার পর কংগ্রেস থেকে আজ যে আলাদা হয়ে গিয়েছে তা সত্ত্বেও কংগ্রেসের আদর্শ এবং কংগ্রেসের কর্মপদ্ধতির প্রতি শ্রদ্ধাবান।

[“এ ভয়েস”: সাধু! সাধু!]

প্রধান মন্ত্রীমহাশয় কংগ্রেসের ওয়ার্কিং কমিটিতে ছিলেন, ১৯৩২—১৯৪২ সালে যে জন-জাগরণ হয় তার পূর্বে কংগ্রেসের সঙ্গে তার সম্পর্ক ছিল করেন বলে তাঁকে কয়েকটি কথা স্মরণ করিয়ে দিতে চাই।

কংগ্রেস যখন ভারতবর্ষকে স্বাধীন করার জন্য জীবন মরণ সংগ্রামে লিপ্ত—

Sj. Subodh Kumar Bose: Is that all relevant to the discussion of the subject before the House, Sir?

Sj. Annada Prasad Choudhuri: I am showing how we are being dragged into the mire.

Sj. Sankar Das Banerjee: His approach should be to the Salaries and Allowances Bill and his arguments should be for or against the Bill but he is saying something, Sir, and it is for you to consider whether they are appropriate or not.

Mr. Chairman: Perhaps he is developing his arguments. Let us see.

Sj. Annada Prasad Choudhuri:

তখন এই আন্দোলনে যাবা যোগ দিতে এসেছিলেন—প্রধান মন্ত্রীমহাশয়ের স্ববল থাকতে পারে বা তিনি অন্যের কাছে শুনতেও পারেন যে যাবা এই আন্দোলনে যোগ দিয়েছিলেন, যাবা এই দেশকে বড় করার জন্য জীবন-মৃত্যুর সম্মুখীন হয়েছিলেন তাঁরা ত কোন বেতন পান নি। শূন্য যে বেতন পান নি তা নয়, তাঁরা যে এত কষ্ট স্বীকার করে

এগিয়ে যেতে পেরেছিলেন তার কারণ তাঁদের এই প্রতিশ্রুতি দিতে হয়েছিল যে তাঁদের পরিবার প্রতিপালনের জন্য তারা কোন দাবী দাওয়া করতে পারবেন না। আজ সেই কংগ্রেসের গভর্নমেন্ট কোন পথে চলেছে—আমি প্রধান মন্ত্রীমহোদয়কে বলি তিনি হয়ত জোর গলায় কি উত্তর দেবেন জানি না তিনি ঠাট্টা বিদ্রূপ করতে পারেন। কিন্তু তবু তাঁকে বলি তিনি যে করুণ সুবে সেদিন বলেছিলেন যে স্ববকদের শিক্ষা দিয়ে তাদের বড় করতে হবে, কাণশ যারা আছেন তারা কতদিন থাকবেন জানেন না। যদি সত্য সত্যই এই কথা তাঁর মনের মধ্যে ধর্নিত হয়ে থাকে তাহলে তাঁকে বলব যে কংগ্রেস থেকে দূরে যারা সরে ছিলেন তাঁদের আজ এই ভারতবর্ষ স্বাধীন হবার পর বেতনের অঙ্কহাতে, বেতন বাড়াবার অঙ্কহাতে তাঁদের স্বারা জনসাধারণের সেবা করবার জন্য, জনসাধারণের মধ্যে উৎসাহ সৃষ্টি করবার জন্য যে পথ তারা অবলম্বন করেছেন সেটা কংগ্রেসের পথ থেকে অনেক দূরে।

তারপর আরও অন্য লোকে বলে এবং আমরাও দেখি যে কোন কারণেই হোক কংগ্রেসের গভর্নমেন্ট যে পথে চলেছেন তাতে এ যেন চোবা কাবাবের স্বর্গে পরিণত হয়েছে। তাই আমি বলি যে ব্র্যাক মার্কেটিং এ্যাকট্ হাই কোর্ট এবং সুপ্রীম কোর্ট থেকে বেআইনী না হলে আমাদের মধ্যেই এমন সভা আছেন তাঁর যে কি অবস্থা হত তা জানি না। কিন্তু আজ এই সরকারের তরফ থেকে তাঁদেরই মনোনয়ন দেওয়া হচ্ছে তাই এই কয়টি কথা বলে আমার বক্তব্য শেষ করতে চাই—প্রধান মন্ত্রীমহাশয় কি ভাবে নেবেন জানি না—আজকে তাঁকার লোভ দেখিয়ে এদের জনসাধারণের মধ্যে সেবা কববার জন্য বা তাদের উৎসাহ করবার জন্য যদি চেষ্টা করেন তাহলে আমি বলি যে হয়ত তাঁরই জীবদ্দশায় এই ঘণধরা কংগ্রেসের সমাধি রচনা করে যাবেন। আমি বলি ভগবান যেন তাঁকে শৃঙ্খল-বর্ষিত দেন এবং তিনি জীবিত থাকতে থাকতে এই কংগ্রেসের গভর্নমেন্ট যেন তার অশ্রুত বৃষ্টি ত্যাগ করবার চেষ্টা করে।

[10-50 to 10-55 a.m.]

Sj. Subodh Kumar Bose: Mr. Chairman, Sir, a few minutes ago the honourable member, Sj. Debendra Nath Sen, delivered a very sentimental speech. Indeed, Sir, it was a sentimental speech. It had very fine sentimental objectives and the honourable member said that democracy was going to be annihilated. But he is forgetting that this democracy is operating under a constitution.

Sj. Debendra Nath Sen: The constitution is being sabotaged.

Sj. Subodh Kumar Bose: The constitution cannot be sabotaged. As long as the sacred, sacrosanct, fundamental rights of the citizens of India are there, there is no risk

whatsoever to the democracy. Sir, I assert that his fears are unfounded. Probably, he is thinking of annihilating democracy, not anybody else." Then, Sir, he is objecting to the appointment of the Ministers on the ground that they are untrained men. Here again, he is speaking something which is an absolute negation of parliamentary democracy. Of course, the common people who come from different parts of the State of Bengal will have to be Ministers, not the trained civil servants. He is also forgetting that those whom he calls untrained men will always be helped and will always be working under the guidance of the Legislature; so he need not worry on that score. They will always be under the able guidance of the Legislature. That is the theory of parliamentary democracy. Sir, he is forgetting the rudimentary principles of democracy. Probably, he is dreaming of a dictatorship. Sir, he was criticising that there is no limit to the number of Ministers that are going to be appointed. He need not have any fears. He is demanding that "we must have this service, that service, we want everything, we want Government to be a universal provider; but we won't give a single man to execute them". There is a limit to the amount of work that a Minister can do, consistent with soundness of administration.

[10-55 to 11-00 a.m.]

The limit is practical administration. So, he need not have any fear. As long as members of the public go on demanding services, Ministers might be increased by one or two, but that need not give them cause for fear,—because the legislature is there to guide them and to give them counsel.

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, I oppose the Bill for some of the reasons which have been stated earlier. The very large number of Ministers and Deputy Ministers who have been selected by the Chief Minister seem to me to be largely superfluous. The Chief Minister has stated in his explanatory speech that he is aging

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and requires a certain amount of help. No one denies that help is needed or help may be needed. But what is the sort of help? I may give you one example. He has under him the whole Transport section and he has appointed a Deputy Minister there. In that Department the Director is a man who was the General Manager of the East Indian Railway. He was also Director of Civil Aviation. He left a very good name as an administrator. He has to learn very little in the matter of organisation of transport. I fail to see what more help the Chief Minister needs in this particular case. It is true that there has not been success but the reason is quite different. He has appointed a very big organiser for a very small job. So, he is firing heavy artillery to kill mosquitoes, but the remedy is not to add to the battery a child's pop-gun as he has done. I do not propose to go into detail with regard to the other appointments, as it may hurt personal feelings.

Sir, in another matter we tried to reduce expenses. We suggested that sumptuary allowance in general might be cut down. Perhaps, the Chief Minister when he calls a party meeting may have to spend a certain amount of money but he can afford that. With regard to the other Ministers, I do not think sumptuary allowance is anything more than "income minus income-tax". We are, therefore, opposed to this wastage of public money.

It has been suggested from this side of the House that there has been serious cleavage in the edifice, a fissure, of Parliamentary Congress Party and therefore, to keep the building together the Chief Minister has applied the cement of office and emoluments. I do not propose to say anything about that but merely to point out that when the real foundation of any building of this kind—love of country—goes overboard you cannot keep the structure up by any such devices.

Sir, I oppose the Bill.

Sj. Narendranath Bagchi: Mr. Chairman, Sir. Much has been said against the Ministers Salaries Bill as also the allowances and all that. My friends opposite have recognised that the Chief Minister has to his credit an enormous sacrifice. What he could earn in a day is not perhaps being given for his monthly salary. Regarding allowances for houses it has been said that Ministers having houses must not be paid any allowances. But, Sir, I put it to all of my friends whether any Minister who may have had a house of his own or co-shared by others, about here in Calcutta, can afford to use it for his Minister's job. Perhaps, he has got to provide a large space for his men, e.g., his orderlies and other people.

[11 to 11-5 a.m.]

For that purpose he has to seek more space. Therefore, Sir, there is very little weight in their arguments that the Ministers should not be given any allowance. Sir, Sj. Debendra Nath Sen says that the Opposition has been belittled. Perhaps, an impartial observer would be able to say what is the real thing. The truth is the other way: we who sit in the Government benches have tolerated all sorts of pricks, all sorts of unpalatable epithets from the Opposition. Things like "selling our conscience", "servitude", "bribed" have been used by my learned friends opposite. (Sj. DEBENDRA NATH SEN: All correct.)—

Mr. Chairman: One or two of his expressions were withdrawn.

Sj. Narendranath Bagchi: But the mischief was done as soon as they were uttered. (Sj. NIRMAL CHANDRA BHATTACHARYYA: Sir, the Opposition never used the word "bribed".)

Mr. Chairman: Mr. Bagchi, you need not go into controversial matters.

Sj. Narendranath Bagchi: Sir, the Opposition has said that the Congress party has been transformed into a *chorakbari* (black-marketer). I think no honourable

member should utter those things. And now the Opposition is banking on the item of democracy. Sir, democracy has given us power to occupy these Government benches, democracy has given us power to reserve our comments, democracy has given us power to obey our leader. Perhaps, the Opposition does not know that at every step the Chief Minister consults us, consults the party. This attack on their part that the Congress members have transformed themselves into the stooges of the Chief Minister does no honour to themselves, nor to us. Sj. Deben Sen has spoken of Hitler and Napoleon and their actions. Sir, we all know that the people who rose against them now wanting a Hitler among them, at least the contemporaneous history says so—

Mr. Chairman: Mr. Bagchi, you are straying away from the point.

Sj. Narendranath Bagchi: Sir, I was telling them about democracy. Sir, democracy has taught us silently to follow our leader. We shall have consultations in our party meetings but surely we are not going to yield to the Opposition.

That is all I have to say.

[11-5 to 11-10 a.m.]

Sj. Debendranath Mukherjee: Lest it might be construed, Sir, that I have been convinced by the reasonings of the Hon'ble the Chief Minister when he addressed the House last, or by the arguments of my friends on the right, I think that it will be necessary for me again to rise and to express my sentiments and to give expression to my opposition to this Bill being passed. It is not useful to reiterate what I said on the last occasion but I would remind the Hon'ble the Chief Minister and his colleagues that the "Congress" is not certainly identical with the mass of the people of the State. They should remember it. It is true that they have been the majority party in the Legislature but that does not indicate that they

are all the people. The people's well-being should be the uppermost consideration of the Government if this Government claims to be called a democratic Government. I would ask my friends on the other side, particularly Mr. Bose and Mr. Bagchi who spoke so much of democracy, whether what they are going to do is really conducive to the well-being of the people of West Bengal so far as this Salaries Bill is concerned. A very modest demand was made by the amendments of some of my friends here that those who have got houses of their own should not charge any house allowance. Is it unreasonable? My friend Mr. Bagchi comes forward with an argument, "Well, my orderlies must have accommodation and those who come as visitors must have accommodation and therefore the Ministers must have house allowance". Sir, I know and they also know that the Ministers and the Deputy Ministers are provided with offices both in the Legislature as well as in the Writers' Buildings and if they are serious and earnest to do any public duty certainly they can make appointments then; if I have got a cottage I must receive my visitors as the owner of a cottage should do. If I have no accommodation for the orderlies—nobody would say that I should burden my cottages with orderlies—I cannot possibly accommodate them and they would have to be given accommodation elsewhere and I should not put forward this ground for having a separate house or to draw house allowance in lieu thereof. I heard the Hon'ble the Chief Minister one day telling the House "Well, I am going to build houses in one part of Calcutta for the members." Is that an argument by which you want to win the support of all other members so that they may not oppose this Bill providing for house allowance? I did not expect that a man who has got the courage of conviction, who is true to his conscience, who knows what should be conducive to the well-being of the people would refer to a thing which might be construed as a bait to other members of the

[Sj. Debendranath Mukherjee.]
Parliament, and I do not think that on this side there is anyone who would be persuaded to give his support to this Salaries and Allowances Bill on the promise being held out that he would be supplied with accommodation in one part of the city of Calcutta. Sir, then I would ask the Hon'ble the Chief Minister again to think of the burden. I would also in this connection ask Mr. Bose to refer to the conventions and traditions of the English Constitution which has been copied in bulk in our Indian Constitution.

[11-10—11-15 a.m.]

The House of Commons always feels the pulse of the people so that what they do in the House may be consistent with the public opinion. May I ask the Hon'ble Chief Minister and his colleagues whether they are feeling the pulse of the people of West Bengal? Do they think that the public opinion of West Bengal is supporting the Salaries Bill? (AN HONOURABLE MEMBER: Yes, certainly.) One of my friends says "certainly". Then I challenge, let any one who has not been elected and who requires to be elected, stand for a by-election on this Salaries Bill and I shall see what is the verdict of the public. I have not gone to the other side, I have not sought their favour. I have never sought to be a Minister and I would give it up even if it is offered. ("Hear", "hear" from the Opposition Benches). I am sorry, Sir, that my chain of thought has been disturbed. Sir, I referred to the burden which this Salaries Bill would bring upon the State. The Hon'ble Chief Minister wanted to persuade us to think that our Government is not heavy at the top of the administration and I should not think of these expenses which this Salaries Bill would bring. He imposed upon us a long table of statistics from which he read out that 23 persons only are at the top and will get Rs. 93,000 and odd, while at the

bottom there are 1,26,000 persons and they are being given Rs. 1,26,00,000; the Hon'ble Chief Minister asks, is this administration top-heavy? He thinks it is bottom heavy. I consider that the figures show that it is top heavy; 23 persons are getting Rs. 93,000 so each person is getting Rs. 4,000, while 1,26,000 persons at the bottom are being given Rs. 1,26,00,000; therefore the salary of each man is Rs. 100. Therefore, I would ask the Chief Minister whether he does not feel that by giving these allowances, these increased salaries, these travelling allowances the mass of the people will consider that you are thinking of your self-interest, you are thinking of the interest of the Government, the interests of the Ministers, it may be the interests even of Congress; certainly that is not a feature of democracy. That will not be for the well being and in the interests of the people at large.

With these words, Sir, I oppose the Bill that has been brought by our Honourable Chief Minister.

Sj. Charu Chandra Sanyal: Mr. Chairman, Sir, I was not in a mood to speak today. However, I should like to say a few words. While going through the Bill, I find one should be a pucca accountant to find out exactly what a Minister should get because of the various items by way of salaries, allowances and other unforeseen expenses which are embodied in this Bill.

[11-15—11-20 a.m.]

All are embodied in this Bill. Regarding this expenditure for furnishing, etc., one should be an engineer, a plumber or a cabinet-maker to find out what is necessary to furnish a house of a Minister. That is certainly a big job for one individual in a Council or an Assembly. In a democracy where legislative bodies exist each member should either understand or speak or vote on all the subjects that are brought before the House.

So, Sir, a doctor talks about law, a lawyer speaks of public health, a peasant in a distant village puts his vote on the bus system of Calcutta, and an industrialist of Calcutta has to do something about the irrigation system of a distant village. That is the difficulty. One member has to be versatile. So when you have accepted this democracy there is no help. It is a fun of democracy but we have accepted it.

Sir, amendments have been moved to the Bill and if some of them are accepted the entire Bill shall have to be referred back to the other House with all its consequences and delays. Probably, that worked most in the minds of the members on the other side to throw out all the amendments. That may be partly true. But in a legislative body where two chambers exist, one chamber generally helps the other. One chamber may pass a Bill leaving many omissions and making many mistakes. It is the duty of the other chamber to fill them up and to correct the mistakes. If the opinion of this chamber is found reasonable, I think the House should accept it and take all the risk of transmitting it to the other House for consideration. That is how the two Houses should work. They must work as a single body. That is the idea of having two Houses. If every amendment is rejected and every Bill is passed in toto in both the Houses by sheer majority, the idea of keeping two Houses comes to nil. That is the point to be considered. I again expect that if there be any reasonable amendment even at this late hour, the majority party should accept it and the House should agree to that acceptance; and either the Bill may be withdrawn or a fresh Bill be placed embodying the amendments for consideration.

I therefore oppose the Bill in its present form.

SJ. Mohitosh Rai Choudhuri:

Sir, it is with much regret that I rise to oppose the passing of this

Bill. Sir, you must have noticed that when the motion for the consideration of the Bill was proposed I remained neutral. I thought that the Bill should be considered on the floor of the House in detail, clause by clause. Sir, you must have noticed that I proposed a short amendment,—not that that was the only point in the Bill to which I took exception. There were some other points, too. But as some of my friends moved amendments with regard to these points I remained silent.

[11-20—11-25 a.m.]

Sir, I fondly expected that at least some of these amendments would be accepted. For instance, I remained neutral on clause regarding conveyance allowance. I did not vote on either side. I thought that the conveyance allowance of the Ministers and Deputy Ministers and others was not very unreasonable. Therefore, you must have noticed, Sir, that so far as I am concerned, I kept my mind open on many aspects of the Bill and that is why I had expected that my friends on the Government side in the Treasury Benches would be good enough to accept some of the amendments. As regards the sumptuary allowance of the Ministers, Deputy Ministers, I should like to know how many of them entertain guests. Sir, I am connected with some important organisations and had the honour of being invited to feasts and parties in many places. Some of the Ministers are my friends but I never had any occasion to be invited to any of the parties arranged by them. So if an enquiry is made into the amount of expenditure spent by them on this account, I think most of my Minister friends would not be able to give a good account of the money that has been spent by them.

Sir, as regards house allowance, some of my friends over there are very noble men, self-sacrificing men, who live not in houses but in boardings. I bow my head to them in reverence. I need not tell you

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whom I refer to but, Sir, is it fair that men like him should draw any house allowance who do not live in a rented house but live in a modest style in a boarding following the noble example of Mahatma Gandhi. Why should they draw any such house allowance? Therefore I have been left with no option but to oppose the passing of this Bill. But, Sir, I think the Government and their supporters should think that the passing of this Bill is more detrimental to the interest of the Government themselves than to those of the public.

[11-25—11-30 a.m.]

I tell you, Sir, that this Bill is extremely unpopular with the people, not that the Ministers do not deserve the salary which they get, as I told the House on the last occasion. If the salary which is given to some of the permanent officials is taken into consideration, if the salary which is given to those in the industrial establishments is taken into consideration, the salary proposed to be given to the Ministers or the Deputy Ministers is not very high. Of course I know some of the Deputy Ministers or even some of the Ministers who have been called to this office were not earning the same amount when not in such positions but that is not the point of view from which the question ought to be discussed. While opposing the Bill we are not taking into consideration the cases of a few like our Chief Minister who were earning very large amounts. I know if called to the Treasury Benches it is meet and proper that some reasonable provision should be made for them taking into consideration their position otherwise than as a Minister. Therefore, Sir, I say that if the matter is impartially viewed the amount demanded is not very much. But, Sir, I think we should consider the matter from another point of view and that is that the Bill is extremely unpopular with the people. The increment which has been proposed to be given to

the Ministers is not liked by the people. Therefore, Sir, Government should, in their own interests, refrain from taking the paltry amount of increment although the increment which they propose to take is after all not very much. What is the good of taking this paltry sum if thereby you incur the displeasure of the country? Sir, I observed the other day with great regret that, in spite of the fact that some of our Ministers are self-sacrificing people (Sj. DEBENDRA NATH SEN: Not all)—and the Chief Minister himself has been making very great sacrifice—it is unfortunate that in spite of that the Ministry has not been able to create that amount of enthusiasm in the country, as it should have, and as we expected it would. What is the reason? The reason lies in these petty things. I would therefore even at this late hour, knowing full well that my voice will be only a cry in the wilderness, even at this late hour I would beseech my friends on the Treasury Benches to disdain from insisting on the passage of this Bill, or, even if the Bill be passed, I would request them to see that the paltry amount of increment which the Ministers propose to take for themselves is not actually taken by them and is voluntarily relinquished. You, Sir, must have noticed that our Governor, our teacher Governor—it is only the teachers who can make sacrifices (LAUGHTER) has made a tremendous sacrifice and by doing that he has enhanced the reputation of the Governor, of the teachers and of the people in general. I would therefore appeal to my Congress friends to see that either the Bill is not passed or if the Bill is passed to see that the small amount of increment, which though considering the amount of work which the Ministers would be required to do is not much, is not taken and I hope that the Ministers would see that this small increment is not taken by them.

Sir, with these few words, I painfully oppose this Bill.

[11-30-11-35 a.m.]

Sj. Kamada Kinkar Mukherjee:

মাননীয় চেয়ারম্যান মহোদয়, প্রধানমন্ত্রী কর্তৃক অনীত ওয়েন্ট বেঙ্গল স্যালারীজ্ এন্ড এলাউয়েন্স বিল সমর্থন করে আমি কিছু বলতে চাই। আমাদের বিরোধী দলের বন্ধুরা তো বলছেন আজ সকলের মাইনে বাড়ান হোক। কিন্তু তাঁদের একমাত্র আগ্রহ দেখাচ্ছে ওয়েন্ট বেঙ্গল স্যালারীজ্ বিলের বিরুদ্ধে। প্রশ্নের অম্বদা বাবু—তিনি ৩৮-৪২এর উদাহরণ দিয়ে—কংগ্রেস কর্মীদের জ্বলন্ত স্বার্থ ত্যাগের উদাহরণ দিয়ে জানিয়েছেন যে সেই সময় কর্মচারীরা নিজের জ্ঞান কোন কোন বেতন ও ভাতা নিতেন না। সত্যি কথা। কিন্তু তাকে স্মরণ করিয়ে দেই যে সেই সময় দলবদ্ধ যে সমস্ত কর্মী—অখিল ভারত গ্রামোদ্যোগ সংঘ, নিখিল ভারত চরকা সংঘ এবং অন্যান্য গঠনমূলক সংঘের কর্মীদের জন্য একটা বেতনের বন্দোবস্ত ছিল। সে কথা নিশ্চয়ই তিনি আজ বিস্মৃত হন নি। ওয়েন্ট বেঙ্গল স্যালারী বিলতে আমাদের মন্ত্রী ও ডেপুটী মন্ত্রীদের যে বেতন নেবার ব্যবস্থা হয়েছে, তাতে যেন একটা মহা অপরাধ হয়ে গেছে।

Sj. Annada Prosad Chowdhuri:

বেতন না বাড়ালে ত অনুপ্রেরণা পাবেন না।

Sj. Kamada Kinkar Mukherjee:

এ জিনিষটা যেন মহা অপরাধ হয়েছে—এই মনোভাব কোথা থেকে এসেছে—তা বুঝতে পারছি। দেবেন বাবু বলেছেন,—এই ইস্যু নিয়ে ইলেক্সন চ্যালেঞ্জ করছেন। ইলেক্সনের ফলাফল যে কি হয়েছে—তা গত নিশ্চয়নেই বুঝতে পেরেছি। আবার যদি প্রয়োজন হয় তা হলে আগামী যে কোন নিশ্চয়নেই তাঁরা চ্যালেঞ্জ করতে পারবেন সে সম্বন্ধে তাঁরা নিঃসন্দেহ থাকতে পারেন। কিন্তু অপজিশন করতে হবে বলেই অপজিশন করলে তার কোন স্বার্থকতা নাই।

Sj. Debendra Nath Sen:

চীফ মিনিষ্টারের কাছ থেকে শিখে নিচ্ছেন বাকি!

Sj. Kamada Kinkar Mukherjee:

তিনি ত আমাদের লীডার, তাঁর কাছ থেকে শিখে নেওয়াটা কোন অগৌরবের বিষয় নয়। আমি বলবো আপনিও তাঁকে অনুসরণ করুন। তাঁকে বাধা দেবেন না।

(“জনৈক সদস্য: চেয়ারকে স্যাক্রেস্ করে বলুন”)

Mr. Chairman: Let him proceed. Please do not interrupt. Mr. Mukherji, please address the Chair.

Sj. Kamada Kinkar Mukherjee:

কাজেই বিরোধিতা করব বলে বিরোধিতা না করে বিরোধী দলের বন্ধুগণের কিছু সহায়তা করা উচিত।

Sj. Debendra Nath Sen:

একটা কীল্ট দিন আমরাই।

Sj. Kamada Kinkar Mukherjee:

সেটা প্রয়োজন হয় পাবেন। সেটা বুঝতে পারা যাচ্ছে যে তার অভাবের জন্যই এই মনোভাবের সৃষ্টি হয়েছে। (“এ ভয়েস্”: ধামলেন কেন, বলুন!)

এখানে এই বিল সম্পর্কে তারা বলেছেন যে এতে জনমতের সমর্থন নাই। সেটা তাঁরা কি করে বুঝলেন? বিভিন্ন স্থান থেকে প্রতিনিধিরা এসেছেন, সেই প্রতিনিধিদের মানদণ্ডের দ্বারা যদি জনমতের বিচার হয়, তাহলে বুঝতে পারবেন কত লোক এই বিলকে সমর্থন করছেন।

(“এ ভয়েস্”: ৩৮।৩৯ “পার সেন্টে” জোট পেয়েছেন।)

Sj. Debendra Nath Sen:

সকলকে টাকা খাইয়েছেন, আপনাদের ভোটের মূল্যটা কি?

Sj. Kamada Kinkar Mukherjee:

নিজেরাও তা জানেন, সে জিনিষটা কেহই বাদ দেন নাই। সে বিষয়ে এখানে আলোচনা না করা উচিত। আমরা পরস্পর পরস্পরকে খুব ভাল ভাবেই জানি। এই কয়টি কথা বলে আমি আমার বক্তব্য শেষ করছি এবং আমি এই বিলটি সমর্থন করছি।

Sj. Sankar Das Banerjee:

Sir, I do not propose to go into this question at length, but I certainly feel that every man is entitled to a living wage. It may appear to honourable members that the pay which has been fixed is far too much, but I will beg every one of you to take into consideration how much you spend in your own household for running the show. Gentlemen, I do know that in the present Ministry, at least I can see one who has sacrificed his professional career, and has come and joined the Ministry, I mean the Honourable Judicial Minister, and I have personal knowledge of his activities in the Bar, and what sacrifices he had to make to come and join the Ministry. Gentlemen, do you disagree with me when I say that every man has his value and, if you want his services, the value must be paid? You may condemn the Chief Minister, you may condemn the Government, but you must see to it that the Ministers are properly paid.

Mr. Chairman: Mr. Banerjee, please address the Chair.

Sj. Sankar Das Banerjee: All right, Sir. It should be the policy

[Sj. Sankar Das Banerjee.]

of the Government to see that a living wage and a proper wage is paid. I do not wish to dilate on that particular view of the matter, except to say this. My honourable friends on the Opposition benches have mentioned that Ministers who have houses in Calcutta should not be given, in any event, a house allowance.

[11-35—11-40 a.m.]

It did appear to me to be a very catchy thing, and perhaps one may say "If you have got a house, why do you take a house allowance". There is another view of the matter. I may have a house but I have to pay 22½ per cent. in the shape of municipal rates and taxes for the property. On the top of that income-tax has to be paid. It is not a house in the mofussil of Bengal where you live in your house and pay nothing at all. These outgoings have to be met and it is equivalent to paying rent. It is well known that under the Municipal Act you have got to pay 30 per cent. if you own a big property and 22½ per cent. if the property is small. Sir, why should the Ministers not be allowed this allowance because they have got to pay these charges. If you want to have the right type of people wages must be paid.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, the difficult task of rounding up the debate on behalf of the Opposition devolves on me. I am an old-fashioned Bengali like you, Sir, and I want to live in peace with everybody. But the very thoughtless and unwise remarks of some of the members sitting on the Treasury Benches have provoked me to a reply. My friends have carried hero-worship to such an extent as to be absolutely blinded to the difference between the private personality of an individual and his public personality. When some of my friends on this side of the House were criticising the public activities of the most prominent personality present in this House

they objected. That showed that they have really been labouring under a sense of domination which they can never get over. It is our public duty to expose the undesirable public activities of all public personalities within this House, and when we discuss the activities of a particular person we do not discuss him personally. I hope that in future the members sitting on the Treasury Benches will have the discernment to understand this.

Sir, I may first of all deal with some of the arguments that have been advanced by the members opposite. I have very great respect for the legal learning of my friend Mr. S. K. Bose, a distinguished lawyer. He has described the Constitution of India as a guardian of democracy. From that point of view he has argued that Mr. Sen was absolutely wrong when he pointed out that there was a danger to the growth of democracy in our country. Mr. Sen saw those dangers in the activities of our Chief Minister. As a Constitutional lawyer Mr. S. K. Bose possibly is also aware of the famous dictum that no Constitution is fool-proof, and I may add that no Constitution is fascism proof. There are loopholes in our Constitution and dangerous visionaries and dictators take advantages of those loopholes and perpetrate a fraud upon the Constitution and impose upon the people lawless laws which cut at the very root of public liberty. That is the point. It is for that reason that my friend Mr. Sen sounded a note of warning. Dr. Bagchi, for whom also I have very great respect, declared that they represent the people. Yes, 38 to 39 per cent. of the people. I would not call it an insignificant minority. But I ask Dr. Bagchi in all seriousness, is he true to what the people want? Will he go and face the public meeting and defend this Salaries and Allowances Bill? (Dr. NARENDRANATH BAGCHI: We are facing the public.) Will my honourable friend go and face a

public meeting at Sradhanand Park? (Dr. NARENDRANATH BAGCHI: That is not the only park in Calcutta.)

[11-40—11-45 a.m.]

Sir, you may address a meeting anywhere in Calcutta and see the consequence. Sir, Sri Kamada Kinkar Mukherjee possibly forgot himself and he permitted himself to be too much excited when he was speaking. He has attributed to us what we never advocated. He has said that we are not in favour of giving any salary to the Ministers, Deputy Ministers, Ministers of State and Parliamentary Secretaries. But, Sir, that is not what we said. That is the delusion under which Mr. Sankar Das Banerjee also was labouring. What we said was that we were passing through a crisis. The country is in the grip of a famine and it was not a time for increasing the salaries and other emoluments of Ministers. That is what we have said. The other day the President Dr. Rajendra Prasad for whom we have very great respect—and I think the Treasury Benches do not merely believe in offering outward respect to the President—said that we must pass through a period of austerity. But from the implication of the Bill it does not appear they are following in the footsteps of President Prasad.

Sir, I will now come to some of the arguments that the Chief Minister advanced the other day in support of this Bill. He quoted statistics and said that the salaries and emoluments, everything considered, would cost about Rs. 5 lakhs a year. He also claimed that it was merely 2 per cent. of the total revenue of the State. Sir, I will not quarrel with that. But he let fall a remark which was unworthy of him. Quoting the Finance Minister of India, he said that the Opposition was allergic to statistics. His remarks remind me of the famous classification of terminological inexactitudes given by the famous American humorist Mark Twain. He classified the terminological inexactitudes in a

[11-45—11-50 a.m.]

descending order of reliability as follows: white terminological inexactitude, black terminological inexactitude, dashed terminological inexactitude and statistics. Dr. Roy's statistics fall in the last category in the descending order of reliability. Sir, let us examine the situation a little more carefully with reference to the famine-stricken people who are dying almost like flies in the country-side, Sir. How many lives can be saved by spending these 5 lakhs of rupees a year? Supposing you spend Rs. 30 per month for each person; it comes to Rs. 360 in the year.

And if you spend Rs. 360 on each of the famine-stricken people, by spending 5 lakhs of rupees you can save the lives of 1,400 persons in a year. But possibly the lives of the poor men are of no importance to our friends opposite! Sir, when I think of the condition in which Bengal is being pushed today by the action of a very unwise Ministry and unwise party in power I cannot but think of a very great genius,—an erratic genius—in the history of ancient Greece, Alcibiades, who was responsible for dragging the fair name of Athens to the mire. Let it not be recorded in the writings of the future historian of West Bengal that in the middle of the 20th Century power came to be grabbed by a party, particularly by an individual, who, in spite of the crisis, who, in spite of the famine, sought to increase his salary and the salary of his associates in his political misdeeds.

[11-50—11-55 a.m.]

Dr. Bidhan Chandra Roy: Sir, I in my opening speech had put forward the grounds in support of the number of Ministers and the salary that is proposed to be paid to them. In regard to the number I find the newspapers say that the Uttar Pradesh Government have decided to appoint 8 more Deputy Ministers and 6 more Parliamentary Secretaries. Probably, it would be a repetition if I said what Bengal does today the other

[Dr. Bidhan Chandra Roy.]

Provinces do tomorrow. I find that Members of the Opposition have made a great point of the salary to be given to the Ministers, Deputy Ministers, etc., and they also spoke of some gentlemen who have been appointed as Deputy Ministers and who in their opinion were not worth it or who in their opinion had a doubtful character. I have also been told that I mentioned the question of the salary of the members of the Assembly and of the Council for an increase thereof just as a bait. This is a most ignoble suggestion. I do believe, Sir, that when the salaries that are proposed, are passed by the Legislature—it has not been proposed for any particular person or persons—it is the office that carries the salary—if my friends on the Opposition Benches come into the Treasury Benches tomorrow by any stroke of fortune they will have the same salary, it won't make any difference whether it was A, B or C. I am advised by some members of the Opposition that the Ministers should not take anything by way of emoluments for the sake of the poor and dying men in the distressed area, but I have heard no suggestion from any member of the Opposition that he would give up his salaries and allowances for the sake of the poor and distressed people. In this connection, I can tell my friends of the Opposition that I have got three suggestions from three of my Party Members that they want to give up their salaries but I have had nothing from the other side.

I have heard my friend Mr. Deben Sen talking about high politics. I am not accustomed to such high talks. He talked about the position of Mr. Churchill while in the Opposition and complained that the Opposition here is not taken into confidence. 'Sir, in this House whom shall I consider the Opposition? The Opposition today is a queer amalgam of different types of idealism and outlooks and is made up of different groups. How can we consult one group alone to the exclusion of other groups, and, as I said, the

[11-55—12-00 noon.]

different groups have different idealisms and outlooks. When such is the case, Sir, one member belonging to one group says that the Opposition here should be given the same place here as the Opposition in England gets. And then what is the number of the Opposition here? The strength of the Opposition is 9 against 33 as was clear from the results obtained on the 4 divisions that the Opposition called this morning. How can they, belonging as they do to different groups and different idealisms, claim to be the opposition? Sir, the word "Opposition" in English constitution—I am not a lawyer, I am not a constitutional lawyer—the word "Opposition" in English constitution as a common man understands it is an Opposition which is capable of undertaking the responsibility of office if they can drive out the party in power. Am I to understand that 9 people would be able to drive out 33? Sir, that would be a queer magic indeed, that would be really autocracy. They ask us why did we not accept their amendments? Some of the amendments, if I may be pardoned for saying so, are so frivolous and they betrayed such a temperament that they were not meant for the purpose of coming to a reasonable solution of the difficult problems but they were meant for the purpose of running down the Government. That is not the spirit in which you can offer any proposition to be accepted by the Government. I have heard a lecture about democracy, autocracy, and so on. I do not know whether the words have got different meanings with different groups, different parties and different individuals. If 9 people could dictate to 33, that would be autocracy indeed. Therefore, Sir, I do not know how they can put forward the claim that they form the opposition. It is true that they do not see eye to eye with the proposals that come from the Government Benches. I can assure my friends opposite that in our party also every member does not see eye to eye

with other members; but we do consider and discuss problems, we do come to an adjustment, we do come to a compromise and we put forward our scheme. That is what I call democracy; not the proposition that one group however small would override another group however big they may be. Sir, the question that has been put forward before the Council is what the future salaries and allowances of the Ministers should be. It was based on one standard and one standard only, namely, what do we consider on this side of the House as the standard of living of those who are to give up their profession, who are to give up their vocation, who are to give up their ordinary means of livelihood, and come here for a certain period—whereas, the gentlemen who are members of the Assembly or the Council do not run any such risk; they may continue their Professorship or profession, they can continue their own business, and they come here for a few days in the year. Therefore, I say it is not a question of what you give to a particular person, but what should be the status of that particular person. That is our consideration. Sir, I am told we are facing a crisis—perfectly true—and that crisis requires a great deal of effort on the part of the people who will be devoted to this work. Sir, I am prepared to say here and now that there is every justification for the proposal which we have made. I was asked a little while ago by Mr. Deben Sen what the Government have done for the last four or five years.

[12—12.5 p.m.]

Sir, I do not want to cross swords with him on this point. Sir, the statistics are there—the documents and individual representations are there. It may be said that they are all false—that they are all cooked up. It is difficult to make a person understand a thing if he does not want to understand it.

Sir, with these words, I move that the West Bengal Salaries and Allowances Bill, 1952, as settled in the Council, be passed.

(CHEERS FROM THE GOVERNMENT BENCHES.)

The motion of Dr. Bidhan Chandra Roy that the West Bengal Salaries and Allowances Bill, 1952, as settled in the Council, be passed was then put and a Division taken with the following result:—

AYES—34.

Abdur Rashid, Janab Mirza Bagchi, S.J. Narendranath Bandopadhyaya, S.J. Tarakdas Banerjee, S.J. Bankim Chandra Banerjee, S.J. Sankar Das Banerjee, S.J. Sunil Kumar Banerjee, S.J. Tara Sankar Basu, S.J. Gurugobinda Bhattacharya, S.J. Bijan Bihari Bose, S.J. Subodh Kumar Chakravorty, S.J. Hriday Bhusan Chatterjee, S.J. Devaprasad Das, S.J. Hare Krishna Das, S.J. Sankta. Santi Dutt, S.J. Labanya Proba Ghosh, S.J. Kamini Kumar Guha, S.J. Prafulla Kumar Guha Ray, Dr. Protap Chandra Kumar, S.J. Siba Prasad Mahanty, S.J. Charu Chandra Majumdar, S.J. Sudhrendra Nath Misra, S.J. Sachindra Nath Mookerjee, S.J. Kamala Charan Mookerjee, S.J. Kall Pada Muhammad Jan, Janab Shaikh Mukherjee, S.J. Kamada Kinkar Pradhan, S.J. Lakhan Roy, S.J. Chittaranjan Roy, S.J. Surendra Kumar Saraogi, S.J. Pannalal Sawoo, S.J. Sarat Chandra Sen, S.J. Prafulla Chandra Sinha, S.J. Kall Narayan Sinha, S.J. Rabindralal

NOES—9.

Abdul Halim, Janab Bhattacharyya, S.J. Nirmal Chandra Chakrabarty, Dr. Monindra Mohan Chattopadhyay, S.J. K. P. Choudhuri, S.J. Annada Prosad Mukherjee, S.J. Debendranath Rai Choudhuri, S.J. Mohitosh Sanyal, S.J. Charu Chandra Sen, S.J. Debendra Nath

The Ayes being 34, the Noes 9, the motion was carried.

Mr. Chairman: Among the 34 votes, one has been cast by S.J. Prafulla Chandra Sen by sitting in the Chamber, as he is not well. I have permitted him to do so.

[12-5—12-10 p.m.]

Committee on Petitions.

Mr. Chairman: Now, there are some announcements to make. In accordance with the provision of rule 86 of the West Bengal Legislative Council Procedure Rules, I nominate the following 7 members of the Council to form a Committee on Petitions with the Deputy Chairman as the Presiding Officer:—

- (1) Sj. Debendranath Mukherjee,
- (2) Sj. Nirmal Chandra Bhattacharyya,
- (3) Dr. Monindra Mohan Chakrabarty,
- (4) Janab Shaikh Muhammad Jan,
- (5) Sj. Rabindralal Sinha,
- (6) Sjkta. Santi Das, and
- (7) Sj. Sankar Das Banerjee.

Now, in deference to the wishes of the either side this House will be adjourned till 10 a.m. on 25th July, 1952, when the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, copies of which have been circulated to the members will come up before the House as the first item of business. Other Bills may also come up if messages and notices are received. I have to request the members kindly to table their amendments on the Bill referred to by 3 p.m. on the 18th July, 1952, which is the latest date fixed by me.

Then there are a number of Ordinances which are urgent and these have got to be passed here when they come here in Bill form and I request the co-operation of the Opposition with the Government in getting these passed into law, and I hope the members will make use of the long recess up to the 25th July to go through the Ordinances and to think of the amendments that they may propose to make. It is on that assumption that we are adjourning till the 25th; otherwise the idea was to call this House to meet on the 18th. So this is a statement which has got to be made and I have done so.

Adjournment.

The Council was then adjourned at 12-10 p.m. till 10 a.m. on Friday the 25th July, 1952.

Members absent.

The following members were absent from the meeting held on 7th July, 1952.

- (1) Deb, Sj. Narasingha Malla Ugal Sanda.
- (2) Musharraf Hossain, Janab.
- (3) Nahar, Sj. Bijoy Singh.
- (4) Prosad, Sj. R. S.
- (5) Sarkar, Sj. Pranabeswar.

COUNCIL DEBATES

Friday, the 25th July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Friday, the 25th July, 1952, at 10 a.m. being the 13th day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

[10—10.5 a.m.]

Committee of Privileges.

Mr. Chairman: I would like to announce that the following members have been duly elected to the Committee of Privileges, namely:—

- (1) Sj. Debendra Nath Sen,
- (2) Sj. K. P. Chattopadhyay,
- (3) Sj. Sankar Das Banerjee,
- (4) Janab Shaikh Muhammad Jan,
- (5) Sj. Prafulla Kumar Guha,
- (6) Sj. Gurugobinda Basu, and
- (7) Sj. Narendranath Bagchi.

The Committee will consist of these Members, and Mr. Deputy Chairman as Presiding Officer.

Questions and Answers

(to which oral answers were given;

Special hardship allowance in Jalpaiguri district.

1. Sj. Charu Chandra Sanyal: Will the Hon'ble Minister in charge of the Finance Department be pleased to state—

- (a) whether a representation for a "Special hardship allowance" for Jalpaiguri district was forwarded to the Government by various official and demi-official

bodies with recommendations by the Deputy Commissioner, Commissioner, Presidency Division, and Income-tax Commissioner;

- (b) if so, whether the Government consider the desirability of taking action in the matter; and

- (c) if not, why not?

Minister-in-charge of the Finance Department (Dr. Bidhan Chandra Roy): (a) Yes.

- (b) No further action is contemplated for the present.

- (c) Government have already sanctioned a dearness allowance to all their employees and moreover in certain localities rations at subsidised rates are being supplied to employees drawing a pay not exceeding Rs. 300 per mensem.

Sj. Debendra Nath Sen: Will the Hon'ble Minister please state, arising out of his reply given in (c), whether there is any difference in the dearness allowance sanctioned for the Government employees at Jalpaiguri or whether it is the same all over West Bengal?

Dr. Bidhan Chandra Roy: It varies. If you want to know for Jalpaiguri, I want notice.

Sj. Debendra Nath Sen: Will the Hon'ble Minister please state whether there is any special hardship attached to the locality of Jalpaiguri due to various reasons which the Government employees there have to suffer and which other employees have not to suffer in any other locality?

Dr. Bidhan Chandra Roy: It is a matter of opinion. We did not find that any differential treatment should be made in the case of employees at Jalpaiguri.

Sj. Debendra Nath Sen: Arising out of the same reply in (c), will the Hon'ble Minister please state what are the areas within the Jalpaiguri district where food rations are supplied at subsidised rates?

Dr. Bidhan Chandra Roy: I want notice.

Kakdwip conspiracy case.

2. Janab Abdul Halim: Will the Hon'ble Minister in charge of the Home Department be pleased to state—

- (a) is it a fact that the alleged Kakdwip conspiracy case was started some three years ago and still remains undecided;
- (b) if so, why it takes such a long time;
- (c) is it a fact that the alleged accused persons are deprived of privileges and facilities of political prisoners in jail; and
- (d) what facilities have been given to the alleged accused for their proper legal defence?

Minister-in-charge of the Home Department (Dr. Bidhan Chandra Roy): (a) Yes.

(b) Because of some legal difficulties arising out of the Supreme Court's decision in declaring section 5(I) of the West Bengal Special Courts Act, 1950, to be *ultra vires*.

(c) These accused persons are under-trial prisoners and under-trial prisoners are not classified as either politicals or non-politicals. They have been put into Division I and they enjoy all the privileges and facilities allowed to such prisoners.

(d) They have all along been represented by a number of Advocates of their own choice and all facilities are allowed to them under the Jail Code.

[10.5—10.10 a.m.]

Janab Abdul Halim: Will the Hon'ble Chief Minister please state if they were classified as political prisoners in Division I throughout the whole period of their detention as undertrial prisoners?

Dr. Bidhan Chandra Roy: I suppose so but I will make enquiries.

Janab Abdul Halim:

আমি জিজ্ঞাসা করতে চাই—কখন ট্রায়াল আরম্ভ হবে, তিন বছর ধরে ট্রায়াল পেরিডং রয়েছে?

Dr. Bidhan Chandra Roy: The Special Courts Bill is before you and as soon as it is passed the trial will begin.

8j. Debendra Nath Sen: Sir, arising out of reply (b) wherein it has been said that because of certain legal difficulties in the drafting of the Bill, certain persons have been kept under trial for three years, will the Hon'ble Minister please state whether he contemplates taking steps against the drafters of this Bill?

Dr. Bidhan Chandra Roy: This Act was passed when Sj. Debendra Nath Sen was a member of the Legislature and he is responsible for passing the Act. He did not find any fault in the Act, nor did I. Of course, opinion differs. The Supreme Court Judges have found that there is a mistake. It is an honest mistake.

Fixation of bus fares.

3. 8j. Annada Prosad Choudhuri: Will the Hon'ble Minister in charge of the Home (Transport) Department be pleased to state—

- (a) what is the basis of fixation of bus fare in public buses and whether Government have any control over it;
- (b) what are the present rates per mile in the different routes in the districts of Midnapore and 24 Parganas, in different classes, if there be separate classes in the buses; and
- (c) whether Government consider it desirable to have uniform rates where there is comparable road condition. Do the Government propose to bring about a uniformity in this matter?

Minister-in-charge of the Home (Transport) Department (Dr. Bidhan Chandra Roy): (a) The

fixation of bus fare depends upon the condition of roads, length of routes, alternative means of conveyance, and the cost of maintenance of bus services. The rate is fixed by the Regional Transport Authorities and Government under section 43 of the Motor Vehicles Act, 1939, may fix the maximum and minimum fares, if necessary.

(b) In the district of 24 Parganas the average rate of fare per mile per passenger is six pies. There are no separate classes for buses in that district.

In the district of Midnapore there are three different classes for buses and the rates of fare per mile per passenger are as shown in the attached statement.

(c) Yes, as far as practicable.

Statement referred to in reply to clause (b) of question No. 3.

(A) For routes other than concrete and tarmacadamised routes.

	For the first 16 miles. (Pies per mile per passenger.)	For the next 14 miles. (Pies per mile per passenger.)	For distance beyond that. (Pies per mile per passenger.)
I Class	17	16	15
II Class	14	13	12
III Class	12	11	10

(B) For concrete and tarmacadamised routes.

I Class	15	14	13
II Class	12	11	10
III Class	10½	9½	8½

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্রী মহাশয় বলেছেন উত্তরের (বি) অনুচ্ছেদে যে ২৪-পরগণার পার মাইল কোন ক্লাস না থাকলেও ছ'পাই অর্থাৎ দু'পরগণা; আর মেদিনীপুরে, স্টেট-মেটের বি হেডে,

For concrete and tarmacadamised routes—

তাতে ফাৰ্চ, সেকেন্ড ও থার্ড ক্লাস থাকা সত্ত্বেও মাইলপ্রতি বাস ভাড়া গড়ে ১২-৫ পাই অর্থাৎ এক আনারও বেশী। একই রকম রুট ২৪-পরগণা আর মেদিনীপুরে। কিন্তু গভর্ণমেন্ট যখন তাদের বেশী আর কম সীমা নির্ধারণ করে দিতে চান তখন ২৪-পরগণার দু'পরগণা আর মেদিনীপুরে এক আনার উপর, এবিষয়ে গভর্ণমেন্টের দৃষ্টি আকৃষ্ট হয়েছে কি?

Dr. Bidhan Chandra Roy: I have already said that the bus fare is under the control of the Regional

Transport Authorities—which is a statutory authority—and Government can only fix the maximum and minimum fares in between the Transport Authorities' rates. Transport Authorities represent various local authorities and we expect they will look after the interests of the bus-owners.

Sj. Annada Prosad Choudhuri:

গভর্ণমেন্টের তরফ থেকে মিনিমাম ও ম্যাক্সিমাম ধার্য করে দেবার কথা। কিন্তু এখানে দেখছি এক জায়গায় দু'পরগণা, আর অন্য জায়গায় ডবলেরও বেশী। এবিষয়ে আমি সরকারের দৃষ্টি আকর্ষণ করতে চাই যে জেলার যারা কর্তৃপক্ষ তাদের বা কোয়েসেচনের উত্তর দেবার সময় সরকারের দৃষ্টি এবিষয় আকৃষ্ট হয়েছে কিনা?

Dr. Bidhan Chandra Roy: I can refer the matter to the Transport Authorities and find out the basis.

[10-10—10-15 a.m.]

Sj. Annada Prosad Choudhuri:

এই মেদিনীপুর জেলায় খড়গপুর থেকে মেদিনীপুর পর্যন্ত যে বাস চলে তাতে কোন ক্লাস না থাকা সত্ত্বেও এক আনা পার মাইল নেওয়া হয়। আবার সেই রাস্তার ঘাটাল থেকে যে বাস আসে তাতে তারা পার মাইলে তিন পরগণা করে নেয়। সরকার এবিষয় অবগত আছেন কি?

Dr. Bidhan Chandra Roy: Sir, my friend is asking the same question over and over again in different forms. I have told him that I shall make enquiries from the Regional Transport Authority why they are charging those rates.

Sj. Annada Prosad Choudhuri:

তবে অনুসন্ধানের ফলে যদি বোঝা যায় যে ২৪-পরগণা জেলা ও মেদিনীপুর জেলার বাস রেটের মধ্যে কোন সামঞ্জস্য নাই—

Dr. Bidhan Chandra Roy: That is a hypothetical question.

Mr. Chairman: You cannot ask questions which are not before us now.

Sj. Annada Prosad Choudhuri: As a result of the enquiry, Sir—

Mr. Chairman: The Chief Minister has already stated that it is a hypothetical question.

Sj. Annada Prosad Choudhuri:

এর মধ্যে আছে এক জায়গার দু'পয়সা, আর এক জায়গায় এক আনার উপর, এই দু'টোর তফাৎটা ঠীক-আপ করে দেবার জন্য তারা ডিরেক্‌সন্ দেখেন কি?

Mr. Chairman: The Chief Minister has given the explanation that he will make an enquiry and see that a uniform rate is fixed.

Sj. Annada Prosad Choudhuri: He did not say that. That is my question also that there should be a uniform rate.

Mr. Chairman: Enquiry means that facts of the case will be considered.

Canal rates.

4. Janab Abdul Halim: Will the Hon'ble Minister in charge of the Irrigation and Waterways Department be pleased to state—

(a) is the Government aware of the public resentment against imposition of heavy canal taxes by the local authorities; and

(b) is it a fact that in spite of representations by the people local authorities go on insisting on realisation of the taxes?

Minister-in-charge of the Irrigation and Waterways Department

(Sj. Ajoy Kumar Mukerjee): (a) Canal rates are fixed by Government and not by any local authority. Government are not aware of any public resentment against canal rates which are, as a rule, quite low. Government have, however, received certain representation from the people of Birbhum district protesting that the water-rate proposed to be levied in the commanded area of the Mayurakshi Reservoir Project in the district of Birbhum is high. The water-rate for Mayurakshi Scheme areas has been reduced to Rs. 7-8 per acre for this year from Rs. 10 per acre which was originally intended to be the rate.

(b) There is no question of insistence on realisation of canal taxes

at present. They are to be realised at harvest time. Moreover, making any contract with the Government for canal water is optional.

Sj. Debendra Nath Sen: Arising out of the last line of the reply to (b) where it has been said that "making any contract with the Government for canal water is optional", will the Hon'ble Minister please state whether there is any alternative source of water-supply to the people there?

Sj. Ajoy Kumar Mukerjee: From the sky.

Sj. Debendra Nath Sen: Is it a fact that Government has the monopoly so far as the supply of water is concerned to that area?

Sj. Ajoy Kumar Mukerjee: There may be tube-wells and tanks.

Sj. Debendra Nath Sen: Are there tube-wells, tanks or any other source of water-supply for the purpose of irrigation?

Sj. Ajoy Kumar Mukerjee: I want notice.

Messages from the Assembly.

The Secretary to the Council (Sj. A. R. Mukherjee): The following messages have been received from the West Bengal Legislative Assembly that the following Bills have been passed by the West Bengal Legislative Assembly at its sitting held on the 10th and 11th July, 1952:—

"Message.

The Tribunals of Criminal Jurisdiction Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 10th July, 1952, has been duly signed by me and is annexed herewith.

The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,
West Bengal Legislative
Assembly."

CALCUTTA:
The 15th July, 1952.

"Message.

The Calcutta Municipal (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

"Message.

The West Bengal Fire Services (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

"Message.

The Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

"Message.

The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

"Message.

The West Bengal Molasses Control (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

"Message.

The Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 11th July, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

*Speaker,
West Bengal Legislative
Assembly."*

CALCUTTA :

The 15th July, 1952.

Messages with regard to these Bills have been circulated and I lay the following Bills on the Table of the House:—

- (1) The Tribunals of Criminal Jurisdiction Bill, 1952.
- (2) The Calcutta Municipal (Amendment) Bill, 1952,
- (3) The West Bengal Fire Services (Amendment) Bill, 1952,
- (4) The Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Bill, 1952,
- (5) The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Bill, 1952,
- (6) The West Bengal Molasses Control (Amendment) Bill, 1952,
- (7) The Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952.

Mr. Chairman: We shall now take up the consideration of the Bills. If the honourable members have no objection, we may take up the Bills in the reverse order from the agenda papers. So, we shall take first the Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952.

GOVERNMENT BILLS.

The Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952.

[10-15—10-20 a.m.]

Dr. Bidhan Chandra Roy: Sir, I beg to move that the Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

The Act which this Bill will repeal now provided for creation of a Jute Board which was established in the year 1948-49 because at that period there was a very great difficulty in the procurement of raw jute by the

mills, particularly it happened that those mills which were not strong financially were not able to compete with the mills which were strong enough financially and the former were in great want of raw jute. Therefore it was that a Bill was introduced and the Central Board was constituted and that for two purposes. It was provided that no purchase by any mill would be allowed unless the purchase was made through the Jute Board to which the contractors selling jute would also have to apply for such sale; secondly the Jute Board had the authority to direct the Government to go to certain mills which were in need of jute and the directions had to be obeyed. There were also one or two provisions with regard to the price for raw jute. In the year 1951 the Government of India in pursuance of an agreement with the Pakistan Government decided that Indian jute could be purchased freely by the mills and also that Pakistan jute could be purchased by them according to the quotas allotted subject to the procedure laid down by the Government. At that time also we thought that perhaps the Jute Board could still be performing some useful purpose but since October when the jute mills were allowed by the Government of India to make their own purchases in Pakistan as well as in India the position required review. The sellers or the buyers did not always refer the matter in time to the Board and also the position of raw jute was so good so far as India was concerned that it was felt that the conditions under which the Jute Board had originally been set up did no longer exist. Therefore, Sir, we decided to ask the Legislature to abolish this Jute Board and that is the reason why this Bill is before the House.

Sj. Debendra Nath Sen: Certainly we support this Bill which repeals another Act but there is only one point which I would like to bring to the notice of the Chief Minister. The position with regard to raw jute has

improved but recently the jute mill owners in Calcutta and in the neighbouring areas have reduced the hours of working in the jute Mills.

Dr. Bidhan Chandra Roy: That has nothing to do with this Bill, Sir.

Sj. Debendra Nath Sen: This arises out of this fact that the Chief Minister also perhaps was a party in that Agreement which was brought out.

Dr. Bidhan Chandra Roy: No, No. Even in the original Bill the Board had no right to direct the number of hours that the mill should work and so on. There is no provision like that in the Act; that is to be governed by other departments, particularly the Labour Department, and so on.

Sj. Debendra Nath Sen: That I know that the Board had no power to limit the hours of work. What I want to say is this that if this fact be correct that there is no difficulty in getting raw jute then why should the mill-owners reduce the number of hours of work in their mills?

Mr. Chairman: That does not arise out of this Bill.

[10-20—10-25 a.m.]

Sj. K. P. Chattopadhyay: I would like to ask—there were certain reports of charges against some of the members of the Board. Was an enquiry made, or will this clause (3) protect them against any action?

Dr. Bidhan Chandra Roy: Will you kindly repeat?

Sj. K. P. Chattopadhyay: Certain charges were made—I do not normally accept newspaper reports—with regard to the administration of this Board in the matter of purchase of jute. I want to know whether an enquiry was made or if this clause 3 will give a decent burial to everything?

Dr. Bidhan Chandra Roy: The appointment of the Jute Controller

was a matter for the Government of India. We have nothing to do with it. We have only to establish the Board. The rest is controlled by the Government of India.

The motion of Dr. Bidhan Chandra Roy that the Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the Raw Jute (Central Jute Board and Miscellaneous Provisions) Repealing Bill, 1952, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Molasses Control (Amendment) Bill, 1952.

Sj. Shyama Prosad Barman: Sir, I beg to move that the West Bengal Molasses Control (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

8j. Shyama Prosad Barman: Sir, I beg to move that the West Bengal Molasses Control (Amendment) Bill, 1952, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Bill, 1952.

[10-25—10-30 a.m.]

8j. Iswar Das Jalan: Sir, I beg to move that the West Bengal Local Bodies (Electoral Offences and Miscellaneous provisions Bill), 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

Sir, there is no amendment proposed by any honourable member and I take it that there is no opposition to this Bill. This Bill seeks to provide for certain electoral offences and their punishment, and for disqualifying a person convicted of some of these offences from voting or from standing as a candidate at any election on the lines of the provisions of the Representation of the People Act, 1951, with a view to ensure smooth conduct of election of Councillors of the Corporation of Calcutta, the Commissioners of the Municipality and the members of the District Boards of West Bengal.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

Clause 12.

The question that clause 12 do stand part of the Bill was then put and agreed to.

[10-30—10-35 a.m.]

Clause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

Clause 16.

The question that clause 16 do stand part of the Bill was then put and agreed to.

Clause 17.

The question that clause 17 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

Sj. Iswar Das Jalan: Sir, I beg to move that the West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) Bill, 1952, as settled in the Council be passed.

The motion was then put and agreed to.

The Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Bill, 1952.

Sj. Iswar Das Jalan: Sir, I beg to move that the Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Bill, 1952, as passed by the West Bengal Legislative Assembly be taken into consideration.

Sir, this is a Bill to give effect to the Ordinance which has been passed already. The Rampurhat and Bolpur municipalities were newly created in May 1950 and their commissioners were appointed for the maximum period of 2 years permissible under the law. It has, however, not been possible to hold

elections for reconstitution of the Board of Commissioners of these two municipalities and on the expiry of two years' period of office of the appointed commissioners the Bill seeks to extend the terms of office of the appointed commissioners of the two municipalities till the 31st December, 1952, so that election may be held for reconstitution of the Board of Commissioners on the expiry of the terms of office of the present appointed commissioners.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Janab Abdul Halim: Sir, I beg to move that in clause 2(b), lines 9 and 10, for the words and figures "31st day of December, 1952" the words and figures "31st day of August, 1952" be substituted.

This is my amendment, Sir, and I hope it will be accepted.

Sj. Annada Prosad Choudhuri:

আমি এবিষয়ে একটা প্রশ্ন জিজ্ঞাসা করতে চাই।

মিউনিসিপ্যালিটির নিয়ম অনুসারে ৩১শে মার্চ পর্যন্ত যারা ট্যাক্স দেয়—তারা ইলেকসনে দাঁড়াতে পারবে। ৩১শে ডিসেম্বরের পর আবার কি দরকার হবে টার্মস্ অফ কমিশনারস্ বাড়িয়ে দেওয়ার যদি ৩১শে ডিসেম্বর ১৯৫২এর মধ্যে ইলেকসন করা সম্ভব হয়? তাহলে তার আগে ইলেকসন করা সম্ভব হবে কিনা?

Sj. Iswar Das Jalan: Sir, as a fact it has already been announced by the District Magistrate that on the 10th December, 1952, the election will be held, but it cannot be held on an earlier date because it really requires about 7 months' time in order to comply with all the provisions of the Act. I oppose the Amendment.

The motion of Janab Abdul Halim that in clause 2(b), lines 9 and 10, for the words and figures "31st day of December, 1952" the words and figures "31st day of August, 1952" be substituted, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

[10-35—10-40 a.m.]

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

8j. Iswar Das Jalan: I beg to move that the Rampurhat and Bolpur Municipal Commissioners (Extension of Terms) Bill, 1952, as settled in the Council, be passed.

The motion was then put and agreed.

The West Bengal Fire Services (Amendment) Bill, 1952.

8j. Iswar Das Jalan: Sir, I beg to move that the West Bengal Fire Services (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

The motion was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

8j. Iswar Das Jalan: I beg to move that the West Bengal Fire Services (Amendment) Bill, 1952, as settled in the Council be passed.

The motion was then put and agreed to.

The Calcutta Municipal (Amendment) Bill, 1952.

8j. Iswar Das Jalan: I beg to move that the Calcutta Municipal (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

The motion was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

[10-40—10-45 a.m.]

Clause 3.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

Sj. Debendranath Mukherjee:

Sir, I beg to move that in clause 7, in the proposed proviso to section 168(I) of the Act, line 1, for the words "land or building" the words "premises or a part thereof" be substituted.

Sir, may I draw the attention of the Hon'ble Minister, Mr. Jalan, to clause 7—"provided that in respect of any land or building"—I want to replace these words "any land or building" by my amendment "premises or a part thereof". My reasons are these: If you want to give any relief to the rate-payer in regard to assessment which is made on the basis of rent, this proposal wants to give relief that the proposed assessment will not exceed the standard rent, the annual amount of which has been fixed under section 9 of the West Bengal Rent Control Act of 1950. The annual rent shall not exceed the annual standard amount so fixed. If I draw the attention of the Hon'ble Minister to section 9 of the Rent Control Act, he will find that the standard rent is fixed in respect of the premises, and the standard rent is not fixed in respect of the land taken separately or the building taken separately. If you retain the provision as it is, difficulties will arise at the time when objections will be raised as to the assessment. Those will approach the Corporation and would press for the annual value not to exceed the standard rent fixed by the Rent Controller. The Corporation would say "Well, the section provides only the rent for the land and rent for the building and therefore how can the Corporation give relief in respect of the premises as a whole?" The premises include sometimes the land and the building together, and sometimes the building only. Supposing a flat has been let out to a tenant, the tenant may go to the Rent Controller for the standardisation of the rent in respect of that flat. Now that is not in respect of the entire building. If it relates to the ground floor, then objections may be taken when the rent includes also other portions.

[10-45—10-50 a.m.] -

Section 9 of the Rent Control Act provides that the standard rent should be fixed in respect of the premises, and I would request Hon'ble Minister to put "premises or a part thereof" in place of the words "land or building". The Rent Control Act never provides that the standard rent is fixed for land and buildings separately; the standard rent is fixed for the premises as a whole. Sir, complications will be created if you get the Bill in this form, viz., "standard rent in respect of land or in respect of building". I propose, as a lawyer who has often to come across such anomalies and difficulties, that in order to remove all these difficulties and complications, for the words "land or building" in the proposed proviso to section 168(I) of the Act, be substituted "premises or a part thereof".

Sj. Iswar Das Jalan: Sir, I am sorry I am not able to accept the amendment moved by my honourable friend Sj. Debendranath Mukherjee. Sir, the position is that the word "premises" has not been defined in the Calcutta Municipal Act at all. The question will then arise as to what is the meaning of "premises" so far as the Calcutta Municipal Act is concerned. Then, Sir, section 168(I) of the Act reads, "For the purpose of assessment to the consolidated rate the annual value of any land or building shall be deemed to be the gross annual rent" and then there is the proviso. Therefore, in the proviso if we use the words "premises or a part thereof", and the word "premises" is not defined, then unless you amend the whole of the section the proviso cannot be amended. Moreover, Sir, there should be no difficulty. Whenever the question of assessment will come up, the person who will assess the building or land, whatever it is, will take into consideration the standard rent which may have been fixed by the Rent Controller in respect thereof.

So, Sir, I oppose the amendment.

[10-50—10-55 a.m.]

The motion of S_j. Debendranath Mukherjee that in clause 7, in the proposed proviso to section 168(I) of the Act, line 1, for the words "land or building" the words "premises or a part thereof" be substituted, was then put and a Division taken with the following result:—

AYES—11.

Abdul Halim, Janab
Bhattacharjee, S_j. Durga Kinkar
Bhattacharyya, S_j. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, S_j. K. P.
Choudhuri, S_j. Annada Prosad
Mukherjee, S_j. Debendranath
Prosad, S_j. R. S.
Rai Choudhuri, S_j. Mohitosh
Sanyal, S_j. Charu Chandra
Sen, S_j. Debendra Nath

NOES—28.

Abdur Rashid, Janab Mirza
Bagchi, Dr. Narendranath
Bandopadhyaya, S_j. Tarakdas
Banerjee, S_j. Bankim Chandra
Banerjee, S_j. Tara Sankar
Bhattacharya, S_j. Bijan Behari
Chakravorty, S_j. Hriday Bhusan
Chatterjee, S_j. Devaprasad
Das, S_j. Hare Krishna
Das, S_j. Sankta, Santl
Guha, S_j. Prafulla Kumar
Guha Ray, Dr. Protap Chandra
Kumar, S_j. Siba Prasad
Mahanty, S_j. Charu Chandra
Majumdar, S_j. Sudhirendra Nath
Misra, S_j. Sachindra Nath
Mookerjee, S_j. Kamala Charan
Mookerjee, S_j. Kali Pada
Muhammad Jan, Janab Shaikh
Mukherjee, S_j. Kamada Kinkar
Musharraf Hossain, Janab
Roy, S_j. Chittaranjan
Roy, S_j. Surendra Kumar
Saraogi, S_j. Pannalal
Sawoo, S_j. Sarat Chandra
Sen, S_j. Prafulla Chandra
Sinha, S_j. Kali Narayan
Sinha, S_j. Rabindralal

The Ayes being 11, the Noes 28, the motion was lost.

Mr. Chairman: I have permitted Dr. Protap Chandra Guha Ray to record his vote from his seat, as he is ill.

[10-55—11 a.m.]

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

Clause 12.

The question that clause 12 do stand part of the Bill was then put and agreed to.

Clause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

Clause 14.

The question that clause 14 do stand part of the Bill was then put and agreed to.

Clause 15.

The question that clause 15 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the preamble do stand part of the Bill was then put and agreed to.

S_j. Iswar Das Jalan: I beg to move that the Calcutta Municipal (Amendment) Bill, 1952, as settled in the Council be passed.

The motion was then put and agreed to.

Mr. Chairman: There are two more Bills left for consideration. I suggest that we take No. 2 first unless the members desire that No. 1 should be taken first.

S_j. Nirmal Chandra Bhattacharyya: The Special Courts Bill ought to be taken up first.

**The West Bengal Criminal Law
Amendment (Special Courts)
Amending Bill, 1952.**

8j. Satyendra Kumar Basu: I beg to move that the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

Sir, this Bill is intended to amend the West Bengal Criminal Law Amendment (Special Courts) Act. The principal Act was passed by the Legislature in 1949. Section 4 of that Act was found to be defective because it empowered the State Government to allot cases to be tried by Special Courts.

[11—11-5 a.m.]

In a case which went up to the Supreme Court it was held that you could not discriminate, that is if five persons had committed the same offence, you could not pick out one of the cases and allot it to be tried by the Special Court, leaving the other four cases to be tried by the ordinary Court. What was held was that all cases in which the accused had committed the same kind of offence should be tried by the same Court so that there may not be any discrimination. In order to remedy that, Ordinance No. VIII of 1952 was promulgated and that Ordinance will expire on the 29th of this month. Sir, this Amending Act has been introduced in order to enact the provisions of the Ordinance. The object of the Bill and the principal Act are to deal with certain classes of offences committed by Government servants and Government agents handling Government property. There is no discrimination whatsoever in the Bill, and the object is that these offences should be tried as speedily as possible. Sir, if you will compare the principal Act of 1949 with this amending Act you will find that this has considerably liberalised the provisions by omitting some of the stringent provisions contained in the principal Act of 1949. I may

draw your attention to certain sections of the principal Act. Sir, section 3 provides for the appointment of a Judge to the tribunal. Section 4 is the section which is ultra vires 14 of the Constitution, and it provides "The Provincial Government may from time to time by notification in the *official gazette* allot cases for trial to a Special Judge". What they could hold was that the Provincial Government could not, in view of the provisions of Article 14 of the constitution, pick out some of the persons charged with the same offence and send them up for trial by the Special Court. It was to meet the objection that Ordinance VIII of 1952 was promulgated. Then, Sir, I will draw your attention to section 4(3). The principal Act permits joinder. I have considered the amendments. In order to draw the attention of the honourable members across the floor, I feel it is my duty to read out the provisions contained in the principal Act. Section 4(3) provides, "When trying any such case as aforesaid a Special Judge may also try any offence whether or not specified in the schedule, which is an offence with which the accused may under the Code of Criminal Procedure be charged at the same trial." The Bill also makes a similar provision. It provides that if it is found that there is *prima facie* evidence that the accused has committed offences which are not scheduled, for the sake of convenience, he may be charged also with those offences and there will be only one trial and the matter may be finally disposed of by the same court. Section 5 provides: "A Special Judge may take cognizance of offences without the accused being committed to his Court for trial and in trying accused persons shall follow the procedure prescribed by the Code of Criminal Procedure for trial of warrant cases by a Magistrate"; that is to say, it expressly provides for trial without the aid of a jury, and the object is that the trial should not be broken into two parts, namely, stages of committal and of trial.

[Sj. Satyendra Kumar Basu.]
[11-5—11-10 a.m.]

The case will go straight to the Special Tribunal and the Judge will take up the matter from the stage of the lodging of the complaint and deal with it right up to the conclusion of the hearing of the case. There is also a proviso to that section which is—"Provided that a Special Judge may, for reasons to be recorded in writing, refuse to summon any witness if satisfied after examination of the accused that the evidence of such witness will not be material." In the present Bill we have excluded that power of the Special Judge. He will have no power to exclude any evidence. Sub-section (2) of section 5 provides "Save as provided in sub-section (1), the provisions of the Code of Criminal Procedure, 1898, shall, so far as they are not inconsistent with this Act, apply to the proceedings of a Special Court; and for the purpose of the said provisions, the Court of the Special Judge shall be deemed to be a Court of Sessions trying cases without a Jury". It is already there in the principal Act.

Then I will draw your attention to section 6. If you read sections 6 and 7 together, you will find that no Court has any power to remove any case from Special Tribunal because the Special Tribunal is vested with exclusive jurisdiction. Section 6 says, "The High Court may, subject to the provisions of section 7 regarding transfer of cases, exercise, so far as they may be applicable, all the powers conferred by Chapters XXXI and XXXII of the Code of Criminal Procedure, on a High Court as if the Court of the Special Judge were a Court of Sessions without a Jury". The power of supervision of the High Court is preserved. Section 7 says, "No Court shall have jurisdiction to transfer any case from a Special Judge or, save as provided in section 6, have any jurisdiction of any kind in respect of proceedings of the Court of any Special Judge." In section 8 you will find there is a presumption of guilt if a person is found to be in possession

of property for which he cannot account satisfactorily.

Mr. Chairman: Instead of dealing now with the various sections and details, will it be possible to take these up seriatim when the amendments are moved?

Sj. Satyendra Kumar Basu: Sir, I am trying to show what are the sections which have been embodied.

Mr. Chairman: You can do that in the course of discussion. If you kindly confine yourself to the principles of the Bill, it will be better.

Sj. Nirmal Chandra Bhattacharyya: Sir, these explanations are very helpful.

Sj. Satyendra Kumar Basu: Section 8 says, "When any person is charged before a Special Judge with an offence specified in the Schedule, the fact that such person is in possession, for which he cannot satisfactorily account, of pecuniary resources or property disproportionate to his known sources of income, or that such person has, at or about the time of the offence with which he is charged, obtained an accretion to his pecuniary resources or property for which he cannot satisfactorily account, may be proved and may be taken into consideration by the Special Judge". We have cut this section out in order not to embarrass the accused in any way.

Sj. Debendra Nath Sen: Whom does it help?

Sj. Satyendra Kumar Basu: It helps the accused.

Sj. Debendra Nath Sen: But you want to punish him.

Sj. Satyendra Kumar Basu: Section 9 provides for the imposition of double penalty, viz., penalty which may be imposed under the Indian Penal Code and also penalty equal to the value of the property.

You will find that this section is excluded from the Bill.

[11-10—11-15 a.m.]

Sj. Charu Chandra Sanyal: Mr. Chairman, Sir, I want to say something about this Bill. This Bill is an amendment of Act XXI of 1949 as the proposer has informed us and

this amendment is due to the decision of the Supreme Court regarding section 4. Had the amendment been confined to the substitution of "mays" by "shalls" then there could have been no question at all. But, Sir, some substantial changes have been made in the name of the amendment. The first one is that the preamble has been changed. In the original Act it was "Whereas it is expedient to provide for more speedy trial and more effective punishment of certain offences". This has been changed to "Whereas it is expedient in the public interest to provide for the speedy trial of the offences specified in the Schedule." The whole aspect has been changed. How it has changed, I shall explain later on.

Then, Sir, in section 6, second paragraph in the original Act the judge himself had to take down some summary of evidence for comparison but in the section 6 here, this has been omitted. Sir, the trying magistrate signs the evidence and takes a summary by his own hand, because it was a safeguard. Generally, the bench clerks supply the evidence and dishonest bench clerks may mutilate the evidence and the judge cannot compare unless he has in his possession a summary written by himself. I think that provision should have been retained.

About section 8, it was made more liberal than the original Act, just to allow some dishonest people to pass out. It provides, as the mover has said, that if a person fails to account for the property he has earned, it is presumed that it has been dishonestly earned. This omission means that many dishonest merchants, officers and others will pass out through this loophole. This provision should have been retained in the public interest and also the provision for additional fines to the extent of the value of the property so dishonestly earned because the punishment in these cases should be salutary.

[11-15—11-20 a.m.]

Next, Sir, in clause 10 of this Special Courts Bill the right of

appeal is not specified. But, in the next Bill, namely, The Tribunals of Criminal Jurisdiction Bill, there is provision for appeal and any person convicted on trial held by a Tribunal may appeal to the High Court. But, Sir, in this Special Courts Bill there is no provision for appeal. In the Criminal Procedure Code provision for appeal is made against the decision of a sessions judge acting with the help of a jury or assessors but in this Special Courts Bill there is no provision for juries or assessors. So, Sir, a provision for appeal against this type of Special Judge should have been provided in this Bill. Otherwise difficulties may arise at the time of appeal. Lastly, Sir, this amending Bill has lost its previous character. The original Act was directed mainly against the black-marketeers, dishonest officers and merchants. But this amending Bill has omitted them from the purview of the Act, that is, they are to be tried in ordinary courts but not in Special Courts. Also they are exempted from some salutary punishments to which they were subjected before. Hence it is feared that this Act might be made applicable to political parties only. The wording of the Preamble is sufficiently clear on this point. It is almost like the Preamble of the Rowlatt Act.

Now, Sir, let me briefly review the circumstances under which special powers were needed by the British Government and I shall confine myself strictly within the subject-matter under discussion. During the Punjab riots, the Mah-ratta rising, Nepal wars, Pindaris atrocities and Sepoy Mutiny special powers were taken by the British from 1818 and Regulation III of 1818 which is very familiar to the political workers was passed in 1818 and amendments to that continued till 1858 but then the Special Courts were not called into action. The suspected offenders were detained without trial. This was stated by the then Government to be necessary for internal peace and this Government also states that these special courts are necessary for internal peace.

[Sj. Charu Chandra Sanyal.]

[11-20—11-25 a.m.]

Then there was a lull for half a century. Again, after the partition of Bengal in 1905 special powers were needed because of the national movement. There was passed the Indian Criminal Law (Amendment) Act of 1908, then applicable only to Bengal, East Bengal and Assam. This was also to provide for speedy trial of certain offences. Subsequently it was made applicable to the whole of India. Then, as the movement progressed, another amendment was made immediately after the First World War, Act XXXVIII of 1920, described as Rowlatt Act or the Black Act applicable to the whole of India. This was on the 13th March, 1919 against the opposition of the national leaders. The politicians of India working for Swaraj rightly suspected this amendment to be directed against them. The opposition speeches of Pandit Madan Mohan Malaviya, Srinivasa Sastri, Motilal Nehru, Deshabandhu C. R. Das and the memorable rulings of President Patel are still fresh in our memory. Mahatma Gandhi said, as it could be rightly said after these Acts were passed, "it is an unmistakable symptom of a deep-rooted disease in the governing body" and that we must find out where is the disease that requires so many special courts for the trial of cases. "The Act must intensify the hatred and ill-will against the State." Then he said, "Lord Chelmsford committed a series of blunders beginning with the passing of the Rowlatt Act". Let not the present Government start a series of blunders like this. But the Government side defended, as it is done now, by saying that the passing of the Public Safety Bill was a matter of urgent importance to enable them to fulfil their responsibilities for the Government of the country and to the people—as in this Preamble it is for public interest. And so, the same defence is heard even now. Then, after the starting of the Civil Disobedience Movement in

1930 amendments were again made in the Criminal Procedure Code, with a flood of Ordinances till 1938. I think most of the members have a taste of those Ordinances. These were also directed against the political movement. This was the time when special courts and special tribunals made their appearance.

Then after the Second World War, a series of Ordinances and amendments to criminal laws were made for public safety.

[11-25—11-30 a.m.]

We are also doing this for public safety in the new Preamble which might be directed against the freedom movement. But the Congress in a body protested vehemently both in words and in action the Special Courts and this public safety talk. This West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, is the culmination of the misdeeds of the British Government which the Congress, the party in power today, resented and fought against bitterly. The Act of 1949 was practically a social Act to be directed mainly against the unsocial elements who profited on the miseries of the people taking advantage of the slight chaos following the change of Government. But now this amendment has taken a purely political character especially the Preamble, mainly to crush the rise of a new political movement, if there be any. It looks very strange that the Congress who fought for the liberty of every people should come forward with such an amendment. I hope the Government will think over it again. Throwing of brickbats and bombs, etc., is an old story. The British Government took advantage of such acts and sought special powers to be directed against them outwardly but essentially against somebody else. The Congress always fought against such powers in spite of brickbats. The Congress maintained that it was the work of the agent provocateurs. If they are still there it is better

to spot them out instead of punishing the whole lot of people by special amendments. The British took advantage of these agent provocateurs and the present Government is being lured into a similar practice. I request the Government to withdraw this Bill and place it after making suitable corrections so that both Houses may pass it very very cheerfully. Probably the Bill before the House will be passed by a majority—

Sj. Prafulla Chandra Sen: One House has already passed it.

Sj. Charu Chandra Sanyal: But I say, in the words of Mr. Vithalbhai Patel, that "although not a single amendment was adopted by the House the discussion had in my opinion served very useful purpose".

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, actuated by a sense of public duty it has been our task to criticise rather sharply the policy and the Bills that the Government have advocated all these days. Today for the first time I have the pleasure of agreeing with the Hon'ble Mr. S. K. Basu so far as the principles of his Bill are concerned. I am one of those who firmly believe in the sanctity and sacredness of the rule of law according to which all persons are tried in the ordinary courts of law, according to the ordinary procedure. But I also believe that extraordinary circumstances justify extraordinary measures.

[11-30—11-35 a.m.]

Sir, on the admission by the Government and also on the opinion that has been expressed by the people in general, opinion recorded in the press, at public meetings, opinion recorded by organised political bodies, that corruption and bribery and cases of cheating are rampant so far as Government officials and agents are concerned. These extreme circumstances need extreme measures. Sir,

you are aware that crores of rupees have been spent under the head "Refugee Rehabilitation" and it is common knowledge that quite a large part of that sum has found its illegal way into the pockets of designing officials and designing Government agents. You are aware also, Sir, that in spite of the best efforts of my friend the Hon'ble Sri Prafulla Chandra Sen the Food Department is a centre of corruption. In view of all these it is necessary that special measures should be placed on our statute book to deal with such cases. But I also believe that whatever may be the nature of the crime it is necessary that the persons who are accused, who have to face the trial should be given an opportunity for a fair trial. I think that there ought to be a set of provisions by which a person convicted by a special court may have a right of appeal to the High Court. The Hon'ble Mr. Basu has pointed out that section 227 of the Constitution is there and the High Court will have the power of superintendence over all these cases, but that, Sir, is not quite sufficient. We know of cases where false charges have been preferred against Government officers by designing subordinates. I know of a particular case in the Food Department, the person concerned being a highly placed Government official. He was not in the habit of taking bribe but his subordinates were corrupt and they entered into a conspiracy with dishonest merchants and trapped this honest gentleman. Such cases do occur from time to time and it is necessary that such people should have proper protection and I believe that provision should be incorporated into the Bill empowering the High Court to enter into not only the law but also the facts of the case. Sir, a similar provision which I have just now mentioned has been incorporated in the Tribunals Bill which we shall be discussing later and which is not before the House now. But I think, Sir, that provision should be made for a fair trial and for that purpose it is necessary

[Sj. Nirmal Chandra
Bhattacharyya.]

that the High Court should be empowered not only to exercise its jurisdiction under section 227 of the Constitution of India but also to enter into the questions of facts.

[11-35—11-40 a.m.]

Sir, the purpose of the Bill is to eliminate corruption as far as possible. I believe that it is not possible to improve the conditions prevailing in the different Government services by means of a legislative measure. It is necessary that the atmosphere should be purified and the function of purifying that atmosphere belongs to the people who are at the head of the administration namely the Cabinet and I believe that the Cabinet will exert itself and see to it that a better atmosphere prevails in the future and they will ensure that really dishonest persons are brought up for trial. Sir, there is another disturbing feature of the Bill which should be specially studied. The omission of Section 8 of the original Act is not at all desirable. So far as I have been able to follow the Hon'ble Minister in charge of law and justice, under Section 8 of the original Act the Evidence Act was to some extent modified and by a subsequent section provision was made for the infliction of special punishment. These two Sections ought not to have been interfered with and I believe that by omitting these two Sections the Bill has been considerably watered down. So the Bill will not really serve the entire purpose for which it is meant. Sir, a legislative measure is not sufficient by itself. It must be worked in the proper spirit and I hope, Sir, that the Cabinet will see to it that it is done in the future.

Sj. Rabindralal Sinha:

মাননীয় পরিষদপাল মহাশয়, আজ এই পরিষদে যে বিল উপস্থিত হয়েছে, তা আইনে পরিণত হবার জন্য আমি সমর্থন করি। আমার বিরোধী পক্ষীর বন্ধুগণ জনমত সংগ্রহ করবার জন্য এই বিলটি প্রচার করার যে প্রস্তাব করেছেন, আমি তার বিরোধিতা করি।

(“এ ভরসে” : ঐ প্রস্তাব এখনো আসেনি, আগের থেকে চটেন কেন?)

আমার বন্ধু চটা দেখছেন। কিন্তু আমি মোটেই চটি নাই।

এ বিলের উদ্দেশ্য হচ্ছে বিচারকে স্বরান্ধিত করবার। বিচারকে স্বরান্ধিত করবার প্রয়োজন আছে—ইহার আবশ্যিকতাও সর্ববাদিসম্মত। আমার বিরোধী পক্ষের বন্ধুরা তাদের মগু ও পরিচয় মারফত বহুদিন ধরে বলছেন,—আমাদের দেশে বিশেষ করে ফৌজদারী বিচার যাতে স্বরান্ধিত হয়, সেজন্য ব্যবস্থা করা উচিত, আজ এই বিলের চারিদিকে রাজনৈতিক গন্ধ কেন আনা হচ্ছে? এই আইনে বিধান করা হচ্ছে—বেসম্মত সরকারী কর্মচারী ও জনসাধারণের মধ্যে দুর্নীতি প্রবেশ করেছে, তাদের বিরুদ্ধে শাস্তিদানের জন্য একটা কার্যবিধির পরিবর্তন সাধন করা। এই আইনের দ্বারা কোন দণ্ডবিধি প্রবর্তন করা হচ্ছে না। শৃঙ্খল কার্যবিধি আইন পরিবর্তন করে যাতে বিচার স্বরান্ধিত করা যায় তার ব্যবস্থা করা হচ্ছে। এই যে পরিবর্তন হচ্ছে এর দ্বারা আমাদের অধিকার এমনভাবে সংকুচিত হচ্ছে কিনা—যাতে ন্যায় বিচার ব্যাহত হবে, এটাই বিবেচনা করতে হবে। কিন্তু এতে কোন রকম অধিকারকেই সংকুচিত করা হয় নাই যাতে ন্যায় বিচার ব্যাহত হতে পারে। কিন্তু বিরোধী পক্ষের বন্ধুরা বর্তমান আইনের বিপক্ষে যে আপত্তি উত্থাপন করছেন তার প্রধান কারণ হচ্ছে তারা একটা অস্বাভাবিক দৃষ্টিভঙ্গী থেকে এই বিলকে বিচার করছেন। এই অস্বাভাবিক দৃষ্টিভঙ্গী হচ্ছে এই যে, যে সমস্ত প্রস্তাব সরকার পক্ষ থেকে উপস্থাপিত করা হয়, তার উপর তারা একটা রাজনৈতিক অভিসন্ধি আরোপ করেন। তা না করে প্রত্যেক বিলকে যে নিষ্কল একটা বিধির অন্তর্ভুক্ত করা হয়েছে, তা যদি তারা বিচার করেন, তাহলে আমার বিশ্বাস, এই যে তাদের প্রতিবাদ বা আপত্তি, এই যে রাজনৈতিক দৃষ্টিকোণ থেকে সমস্ত পর্যবেক্ষণ করা—এটা বন্ধ হলে তাদের আর আপত্তি বিশেষ থাকবে না বলে আমি মনে করি।

[11-40—11-45 a.m.]

Janab Abdul Halim:

মিষ্টার চেয়ারম্যান, স্যার, সাধারণতঃ ওয়েস্ট বেঙ্গল ক্রিমিনাল ল' অ্যামেন্ডমেন্ট স্পেশাল কোর্ট বিল সম্পর্কে আমার বক্তব্য হচ্ছে, সাধারণতঃ এই ধরনের আইন দ্বারা সমস্ত অপরাধের বিচার হওয়া উচিত নয়। এ বিষয়ে গভর্নমেন্টের পোনাল কোডও আছে। তার দ্বারা দেশে যারা দুর্নীতি করবে, করাপশন করবে—তাদেরও বিচার হতে পারে। সেই ক্ষেত্রে স্পেশাল কোর্টের বিচার সাধারণ জুরীর সাহায্যে হওয়া উচিত, যে কোন রকম অপরাধী হোক না কেন সেখানে স্পেশাল কোর্ট ও স্পেশাল জুরী মারফত সে বিচারকে স্বরান্ধিত করা যেতে পারে। যে অর্ডিনারী কোর্ট আছে সেখানেও জুরীর সাহায্যে বিচারকে স্বরান্ধিত করা যেতে পারে। মিত্যরীতঃ গভর্নমেন্টের স্পেশাল পাওয়ার, — গভর্নমেন্টের ক্রিমিনাল ল' অ্যামেন্ডমেন্ট আর্ট ১৯০৮ সালে, ১৯০৯ সালে এবং তার পরবর্তী বৃগে বৃটিশ আমলে এই সমস্ত আইন করা হয়েছিল—স্বাধীনতা আন্দোলনকে দমন করার জন্য। সে ক্ষেত্রে দেশে বখন আন্দোলন হতো, তখন তা অর্ডিন্যান্স ও

আইনের সাহায্যে দমন করা হ'ত। বৃটিশরা সে বংশে এই আইনগণি পাশ করেছিলেন এবং তাদের সময়—তারা আমাদের দেশে স্বাধীনতা আন্দোলন দমন করবার জন্য এই আইন প্রয়োগ করতেন। এক্ষেত্রে দেশে যদি দুর্নীতি হয় এবং গভর্ণমেন্টের সম্পত্তি ইত্যাদি নিয়ে যারা দুর্নীতি করবে, তাদের বিচার হওয়া উচিত। এই রকম যদি ব্যবস্থা হয়, তাহলে আমি সে ক্ষেত্রে এই বিলকে সমর্থন করি। কিন্তু সেখানে যে প্রতিশন আছে স্পেশাল জজ, তার সঙ্গে সঙ্গে জুরীর সাহায্য নেওয়া হয়, তাহলে বিচার আরও সুচারুভাবে নিয়ন্ত্রিত হ'তে পারে। তাছাড়া এই বিলে সাক্ষার বিরুদ্ধে আসামীদের হাইকোর্ট বা উচ্চ আদালতে আপীল করবার সুযোগ ও সুবিধা দেওয়া হয় নি। সেই আপীলের সুবিধা আসামীদের দেওয়া উচিত। আমরা জানি এই বিলের ফাঁকে অন্যান্য বড় বড় দুর্নীতিপরাণ অফিসার ও কর্মচারী বাদ পড়ে যাবে। যে মহান্ উদ্দেশ্যে তারা এই বিল এনেছেন আমার মনে হয় এই বিলের ফাঁকে রাঘববোয়ালেরা বাদ পড়ে যাবে। আইন তখন বইয়ের পাতায় সীমাবদ্ধ থাকবে, সে ক্ষেত্রে আইনের প্রয়োগ হবে না। ছোট ছোট ক্ষেত্রেই সেটা প্রয়োগ হবে। গভর্ণমেন্ট যদি সদুদ্দেশ্যে এই বিল এনে থাকেন, তাহলে যাতে সে বিল সত্যিকারভাবে উপযুক্ত ক্ষেত্রে প্রয়োগ হয়, সেদিকে সরকারের দৃষ্টি রাখা উচিত। এই বিলের মধ্যে যে সমস্ত "লুপহোল" ও ফাঁক রয়েছে, আশা করি আইন সচিব মহাশয় সেগুলো দূর করে আমার সাজেস'শান্ মেনে নেবেন। এবং এই বিলে সত্যিকার দোষী ও দুর্নীতিপরাণ লোক যারা দেশকে ঠকাচ্ছেন, বিশেষ করে গভর্ণমেন্টের অন্যান্য কর্মচারী ও অনেক বড় বড় অফিসার যারা বড় বড় ফান্ডের চার্জে থাকেন, যারা সরকারের হাজার হাজার, লক্ষ লক্ষ টাকা আত্মসাৎ করেন, তারা আইনে পড়েন না, নানা উপায়ে বেহাই পেয়ে যান। এই বিলে তাদের যাতে বিচার ও সাজা হ'তে পারে, তার ব্যবস্থা করা উচিত। গভর্ণমেন্ট যদি সত্যিই সদুদ্দেশ্য-প্রণোদিত হয়ে এই বিল এনে থাকেন, তাহলে তা' যাতে সত্যিকারে প্রয়োগ হয় সেদিকে যেন তারা দৃষ্টি রাখেন। এই বিলে দুর্নীতিপরাণ লোকদের সাজা দিতে গিয়ে যেন ইনোসেন্ট লোকের উপর প্রয়োগ না হয়, অন্য লোককে অত্যাচার বা জুলুম করবার জন্য যেন প্রয়োগ না হয়, সেটা দেখা উচিত। অতীতের অভিজ্ঞতা হতে আমরা জানি গভর্ণমেন্ট "স্পেশাল পাওয়ার" হাতে নেবার সময় বিরোধী পক্ষকে যে প্রতিশ্রুতি দিয়েছিলেন, তা তারা রক্ষা করেন নাই। এ বিষয়ে দৃষ্টি রেখে সরকার যেন তাদের সিদ্ধান্ত গ্রহণ করেন।

[11.45—11.50 a.m.]

SJ. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়। "ওয়েন্ট বেঙ্গল জির্ন্যাল (স্পেশাল কোর্টস) এন্ডেডমেন্ট বিল"এর "সিডিউল"এ যে সমস্ত ধারার উল্লেখ আছে সে ধারা অনুসারে যারা ঘুষ দেবে বা যারা ঘুষ দিতে সাহায্য করবে বা যেসব সরকারী কর্মচারী সরকারী জিনিষ-পত্রের অপব্যবহার করবে তাদের যাতে শাস্তি তাড়াতাড়ি করা হয় তার ব্যবস্থা আছে। মূলতঃ রাজনৈতিক হিসাবে এই বিলের ব্যবস্থা বিরোধিতা কেউ করতে পারে না। কিন্তু যখন এই সাধারণ কাজে যেভাবে এই সমস্ত বিলের বিধি প্রয়োগ করেন

তা' যদি বিচার করা যার তাহলে এই বিলের যে প্রয়োজনীয়তা আছে সেই প্রয়োজনীয়তা সম্বন্ধে বা তার ভবিষ্যৎ কার্যকারিতা সম্বন্ধে সন্দেহান হতে হয়।

কিছুদিন আগে আমি এই পরিষদ কক্ষে প্রফুল্ল বাবুর খাদ্য বিভাগ—আজকাল সকলেই জানেন যে খাদ্য বিভাগ—এই যে মিল্লার বিধান—অন্যান্য বিভাগকে ছাড়িয়ে গিয়েছে। এতে বলা হচ্ছে যারা ধরা পড়বে, যারা দুর্নীতিপরাণ কর্মচারী তাদের তাড়াতাড়ি শাস্তি দেওয়া হবে। কিন্তু যখন এক-একটা ঘটনার বিষয় তাদের কাছে বলা হয় তখন তার জন্য কিছুই করা হয় না, বরং উল্টো ব্যবস্থা করা হয়। তখন মনে হয় এ বিল পাশ কোরে হ'ব কি? এই বিল পাশ করার মধ্যে সত্যসত্যি দুর্নীতিপরাণ কর্মচারীর শাস্তি দিবার ব্যবস্থা আছে, না অন্য কোন ব্যবস্থা আছে? আমি সেদিন বলেছিলাম, আবার প্রফুল্ল বাবুর দৃষ্টি আকর্ষণ করি—১৮ই মে একটা ইনস্পেকশন্ রিপোর্ট যাতে একজন লোক—তার বেকারী নাই—তাকে আটা দেওয়া হ'ত। উনি সঠিক সংবাদ চেয়ে পাঠানোতে রেডিওগ্রাম উত্তর এল, ৫ সপ্তাহ পরে ২৫শে জুন, "এস, ডি,ও" না অন্য কোন কর্মচারী সংবাদ নিয়ে বললেন যে বেকারী আছে। কিন্তু ১৮ই মেতে যে ছিল না, তার বিভাগের অফিসার রিপোর্ট দিলেন—সে রিপোর্ট এখানেই আছে—তাতে কিছুই বলা হ'ল না। এই অবস্থায় আজ যে এই বিল পাশ করছেন তাহলে তাতে কার শাস্তি হবে?

SJ. Prafulla Chandra Sen:

সেইজনাই বিল করা হচ্ছে।

SJ. Annada Prosad Choudhuri:

তখন সে বিল ছিল না বোলে করা যায় নি? আর একজন অফিসারের নাম করি—নাম তার হীরেন মুখার্জী—গ্রীষ্মপুর্বে অভিব্যক্ত হলেন। তাঁর মামলা চলল। ম্যাজিস্ট্রেট তাঁকে "বেনিফিট অব ডাউট" দিয়ে ছেড়ে দিলেন।

SJ. Prafulla Chandra Sen:

তিনিও কি "ফুড্" ডিপার্টমেন্টের?

SJ. Annada Prosad Choudhuri:

আমি এক এক কোরে উত্তর দিচ্ছি। আপনারা যদি চান আমার কাছে অনেক কিছু আছে। আপনারা কি জানেন না? আপনারা চান ত আরও দিতে পারি। কত চাই? আপনাদের আশে পাশেই কত—বলতে পারি। তারপব হীরেন্দ্রনাথ মুখার্জীকে ধরা হল, তাঁর বিরুদ্ধে মামলা হল, তাঁর "একুইটাল" হল "বেনিফিট অব ডাউট"এ। কাল একজন কর্মচারী বুঝিয়ে দিয়েছেন যে "বেনিফিট অব ডাউট" দিয়ে ম্যাজিস্ট্রেট যে ছেড়ে দিয়েছেন তা নাকি ভুল করেছেন। কিন্তু "বেনিফিট অব ডাউট" দিয়ে যে-লোক ঘুষের দায়ে অভিব্যক্ত হয়েছিলেন সেই লোককে আজ সরকার মিউনিসিপ্যাল ম্যাজিস্ট্রেট কোরে দিয়েছেন।

(LAUGHTER FROM OPPOSITION BENCH.)

তাকে মিউনিসিপ্যাল ম্যাজিস্ট্রেট করা হয়েছে—তাঁর নাম হীরেন্দ্রনাথ মুখার্জী। তাঁর বড়ই ক্রটি হয়েছে।

[Sj. Annada Prosad Choudhuri.]

শুনতে চান আরও একটা একটা করে বলতে পারি। এই যে ঘৃষ—এ যাতে নিবারণ হয় বা যে সরকারী কম্পচারী ঘৃষ খায় তার তাড়াতাড়ি যাতে শাস্তি হয়—তার জন্য এই ব্যবস্থা। আগে ছিল যদি কোন ব্যবসাদার ঘৃষ খায় বা ঘৃষ দেয় তাহলে তার জন্য বিধি ছিল বিলের মধ্যে—বিধি ছিল যে তাকে শাস্তি দেওয়া হবে। সেটা বাদ দেওয়া হয়েছে। সেই “র্যাকমার্কেট” এর যে আইন ছিল সেটা সুপ্রীম কোর্টে “আলট্রা ভায়াস” হয়েছিল। “র্যাকমার্কেট” এর জন্য আর কোন চিন্তা নাই। হয়ত প্রফুল্ল বাবু, যমুদ ডিপার্টমেন্ট বা সাপ্লাই ডিপার্টমেন্টের সেই “র্যাকমার্কেট” বিল নাই। সে বিল ত “ল্যাপসড” হয়ে গেছে। “র্যাকমার্কেট” হল, তাতে “বেনিফিট অব ডাউট” হল, আর তার জন্য আমাদের প্রায়শ্চিত্ত করতে হবে, তাকে মিউনিসিপ্যাল ম্যাজিস্ট্রেট কোরে দেওয়া হল যাকে “র্যাকমার্কেটিং” এর জন্য ধরল। “আলট্রা ভায়াস” বলে “র্যাকমার্কেট” বাদ দেওয়া হল। যে কম্পচারী একজন লোককে ধরল আমরা যদি সেই কম্পচারীর কথা না শুনতে সেই ব্যক্তিকে যেহেতু “র্যাকমার্কেটিং” উঠে গিয়েছে—তাকে এনে এই পরিষদে বসিয়ে দিই তাহলে সেই যে কম্পচারী—যে “র্যাকমার্কেটিং” এর জন্য সেই লোককে ধরেছিল তার অবস্থা কি হয়? আমরা কি দুর্নীতি বন্ধ করার জন্য ব্যবস্থা করছি, না আমরা কিসের জন্য করে থাকি দেওয়ার জন্য করে বোকাবার জন্য করছি? আমি নাম চাইলে বলে দিতে পারি—পামলালা সারোগী সাহেব—গভর্ণমেন্ট নমিনেটেড।

Mr. Chairman: That kind of accusation cannot be allowed. That will lead to counter charges.

[11-50—11-55 a.m.]

Sj. Annada Prosad Choudhuri: I don't care.

আজকে আমরা এঁদের উচ্চপদে বসাবি। আচার্য্য প্রফুল্লচন্দ্র রায় আজ নাই। তিনি বলে গেছেন একটাই লোক একটা জঘনা কাজ কবেছে এবং তার জন্য প্রতীবাদ করেছে তাদের সমর্থন জানিয়ে ২১শে মার্চ ১৯৪১ সালে আচার্য্য প্রফুল্লচন্দ্র রায় চিঠি দেন—চিঠিখানা আমার হাতে আছে—যাকে তিনি নিন্দাবাদ করলেন তাকে আমরা উচ্চ আসনে বসিয়ে দিলাম—এতে কি ঘৃষখোরী বন্ধ হবে? যদি একজন লোককে মেদিনীপুর কলেজের গভর্ণিং বডিতে সরকারের তরফ থেকে “নোমিনেট” করা হয়—তখনকার ডিস্ট্রিক্ট ম্যাজিস্ট্রেট বহমতুল্লা সাহেব পাঠাবার পরে ডিভিশন্যাল কমিশনার এস. বানাজী তাঁর অতীত ত্রিয়াকলাপের জন্য সেটা বাতিল করলেন—তাকে যদি আজ উচ্চ আসনে বসিয়ে দেওয়া হয় তাহলে কি দুর্নীতি, ঘৃষখোরী, চোরাকারবার বন্ধ হবে?

Mr. Chairman: I will request the honourable member not to mention any name specifically.

Sj. Annada Prosad Choudhuri:

I am referring to that specifically.

আমি বলছি এই যে আইন পাশ করছেন, এ ব্যা। যদি মানুষকে তার আচরণের দ্বারা বিচার করতে হয়, এবং প্রত্যেক ক্ষেত্রে যদি আমরা দেখি যে তার

বিচার হচ্ছে না, তাহলে আমি তাঁদের বলব যে আইন পাশ করা ব্যা। আইন পাশ হয়ে “স্ট্যাটিউট” বৃদ্ধিই থাকবে। যে অনার্য করবে তাকে শাস্তি না দিয়ে বরং উচ্চ পদে চাঁড়য়ে দেওয়া হয় তাহলে যে সরকারী কম্পচারীদের বিরুদ্ধে আইন করা হচ্ছে তা ব্যর্থই হবে। যে লোককে গভর্ণমেন্ট প্লাজার করার জন্য জঙ্গ সাহেব প্রস্তাব করলেন, আর ডিস্ট্রিক্ট ম্যাজিস্ট্রেট বললেন তিনি অপকর্ম করেছেন সেই অপকর্মের জন্য তাকে করা যায় না এবং পরে ডিভিশন্যাল কমিশনারের কাছে গেলে তিনিও আপত্তি করলেন, তাকে গভর্ণমেন্ট প্লাজার করা হল। এই রকম লোককে যদি আজ গভর্ণমেন্ট প্লাজার কোরে উচ্চ আসনে বসিয়ে দেওয়া হয় তাহলে এই বিল করার মর্যাদা কি?

সরকার চাইলে আমি সব তথ্য তাঁদের কাছে পাঠিয়ে দিতে পারি। অনেক সময় আমরা যা বলি হয়ত নাম বলতে গেলে আপত্তি বলেন যে “রিফর্মেশন” হবে অথচ নাম না বললে কিছই হয় না, বৃদ্ধিতে পারেন না; আগে কতবার বলেছি “করাপশন” এর কথা—সেটা “ভেগ” চাক্স বলেছেন। প্রধানমন্ত্রী মহাশয়কে “করাপশন” এর কথা বললে তিনি বলেন “করাপশন” এর কথা যাবা বলে তারা নিজেরাই “করাপট”। এই যখন ফল তখন আজ দেখছি যে এই “করাপশন” বন্ধ করার জন্য এই বিল আনা হয়েছে। তাঁরা যদি মনে করেন যে “করাপশন” নেই তাহলে এই বিল আনবার দেরী কি? আমি এক-জনের নাম বললাম, আপনাবা বললেন “রিফর্মেশন” হবে। আব একজনের নাম বললে তিনি “পার্সোনাল এক্সক্লুশন” দিয়ে তা থেকে নিষ্কৃতি পেয়ে যান। সবকাবা কম্পচারী যাবা তাঁরা সে বিষয়ে অবহিত আছেন, তাঁদের কাছে সবকার জিজ্ঞাসা কোবে পেতে পারেন যদি এইসবের প্রতিবিধান—

Mr. Chairman: That will not be relevant to the present discussion. Please confine yourself to the scope of the present discussion.

Sj. Annada Prosad Choudhuri:

আমি তাই বলছি দুর্নীতি বন্ধ করার জন্য এই যে বিল আনা হচ্ছে এ বিল ব্যর্থ হবে। আগের ক্ষেত্রে আমি যা বলেছি তাব যদি কোন রকম কার্যকরী ব্যবস্থা না করেন তাহলে এমন হতে পারে যে এঁরা সেল ট্যাক্সের একজন কম্পচারী “এন. সি. রায়” তাঁর মত কয়েকটাই ভাল কম্পচারী বলদান টে, হিজ কাণ্ট্রী নেস্ট, টু হিজ গভর্ণমেন্ট। এই ত তাব অপরাধ। কাজেই এই সমস্ত ক্ষেত্রে যে সব দুর্নীতি আছে সেই সব জায়গা বলে দিলেও সরকারের ঘৃষ ভাঙেন না—সেই সব ক্ষেত্রে এই আইন পাশ হয়ে গেলেই বা কি লাভ? যে কম্পচারী সবকাদের মশ্রীবর জল নীচু ত জল নীচু বলবে সেই সব লোক এখানে আসবে।

আমি জিজ্ঞাসা করি টাইবুন্যালে বিচার হয়েছে সেই “এন. সি. রায়” এর? আমি ত জানি না তাকে, কিন্তু আমি তাঁর সম্বন্ধে বলি, “হি ওয়াজ ফেথফুল; নেস্ট, টু হিজ স্টেট হিজ কাণ্ট্রী ওয়াজ সুপারিয়র টু হিম”। সেইজন্য তাঁর চাকরী গেছে বটে কিন্তু দেশকে রক্ষা করার জন্য যারা ফাঁকি দিতে চরেছিল,

যারা অন্যায় করতে চেষ্টাছিল, তাদের বিরুদ্ধে বা কিছু করার করেছেন তাঁর দেশকে রক্ষা করার জন্য।

তার জন্য মনে করি এই যে বিল পাশ করা হচ্ছে তাতে শেষকালে আরও ঐ রকম কতকগুলি কমিটারীকে বিলদান দেওয়া হবে। যতক্ষণ পর্যন্ত—আমি সেদিন চিন্তাব্যবস্থার সম্বন্ধে অভিযোগ করেছি, আমি আজ হীরেন বাবুর সম্বন্ধে যে কথা বলেছি, সে বিষয়ে যতক্ষণ পর্যন্ত পুঙ্খানুপুঙ্খরূপে তদন্ত হয়ে সরকার ব্যবস্থা না করেন ততক্ষণ পর্যন্ত এই সরকারের মঙ্গল নাই, এবং যে কংগ্রেস পার্টির তরফ থেকে সরকার চলছে সে পার্টিরও মঙ্গল নাই।

[11-55—12-0 p.m.]

Sj. Hare Krishna Das:

মাননীয় চেয়ারম্যান মহাশয়, এই আইন ভারতের সংবিধান অনুযায়ী ফৌজদারী আইনের মূলনীতির প্রতি লক্ষ্য রাখিয়া আনা হয়েছে। এ আইনে এমন কিছু নাই যার বিরোধিতা হতে পারে।

প্রথম কথা হচ্ছে আমাদের ফৌজদারী আইন দীর্ঘকাল চলতে থাকে এবং তাব ফলে আসামীদের বহু অর্থ ব্যয় হয় এবং নানাবকম অশান্তি, দুর্ভাবনা এবং দুর্শ্চিন্তার ভিতর দিয়ে যেতে হয়। এই কয়েক বৎসর থেকে আমাদের দেশে যেরকম সংহতভাবে নারীধর্ষণ, লুণ্ঠন, অগ্নিসংযোগ প্রভৃতি চলেছে তাব দ্বারা অরাজকতার সৃষ্টি হচ্ছে। এই অরাজকতা বন্ধ করার জন্য আমাদের বর্তমান আইন আনয়ন করা হয়েছে। এই আইনে বড় সুবিধা দেওয়া হয়েছে যে, সাধারণ ফৌজদারী মামলার সম্বন্ধে কোন রকম আপীল চলে না, কিন্তু এই আইনে আপীলের ব্যবস্থা করা হয়েছে। ঘটনা এবং আইন দুটোই আপীল করা চলে। এই সুযোগ-সুবিধা বর্তমান আইনে আসামীদের দেওয়া নাই।

তারপর জুরীর বিচার সম্বন্ধে অনেক হযত অনেক কথা বলবেন, কিন্তু জুরীর বিচারে অনেক রকম অসুবিধা আছে। প্রথমতঃ কোন জুরী অনুপস্থিত থাকলে সেদিন মামলা মূলতুর্বা থাকে এবং জুরীর মাথো কেহ মারা গেলে নতুন কোর্টে জুরী গঠন করতে হয়, তাতে অনেক সময় লাগে এবং বিচার গোড়া থেকে সূরু করতে হয়। এটা সময়সাপেক্ষ এবং এটা আমি মনে করি জনকল্যাণের পরিপন্থী। আর বিরোধীপক্ষেরও কেহ বোধ হয় মনে করেন না সমস্ত দেশটা উচ্ছ্বলতা প্রবণদের দ্বারা—ক্রাভ, বন্দাম্যেশ, গান্ডা দ্বারা পূর্ণ হয়। তারা যখন দেশে শান্তি চান তখন বিলের বিরোধিতা করার কোন আবশ্যকতা আছে বলে আমি মনে করি না।

এই সব বিপজ্জনক সময়ে আমাদের এই প্রকার আইনের দ্বারা যাতে তাড়াতাড়ি বিচার করা হয় তার ব্যবস্থা করা হয়েছে। বিশৃঙ্খলা, নরহত্যা, অগ্নিসংযোগ, নারীধর্ষণ—

Sj. K. P. Chattopadhyay: Sir, these sections are not within the jurisdiction of the Bill.

Sj. Hare Krishna Das:

আমার মনে হয় এই দ্রুত বিচার করা সম্বন্ধে আমাদের দেশের জনকল্যাণের জন্যই করা হয়েছে এবং এর দ্বারা দেশের উপকার বই অপকার হবে না।

[12-0—12-5 p.m.]

Sj. Debendra Nath Sen: Mr. Speaker, Sir, we all thought that it would be possible for us to give our wholehearted co-operation to the Bill, in fact, to the original Act which is going to be amended by this new Bill. We could give our wholehearted support but, although on principle we certainly agree, we would rather like it to be more ruthless. If the jury system has not been provided for, we do not mind that, but we certainly would mind the watering down of the original Act by this Bill. That is my first objection to this Amending Bill, that with a view to doing good a greater mischief is being done. I am sorry that the Hon'ble Minister about whom we have heard so much outside this House should bring such a Bill which will not at all redound to his credit. Really original sections 8 and 9 have been omitted. Is that the only purpose of this Bill? What else is there in the Bill? Only sections 8 and 9 have been omitted. For whose benefit? Is it for the benefit of the public? Is it for the benefit of the Government? Is it for bringing in a purer administration? In the original Act there were heavy penalties. Even loopholes were attempted to be controlled under the original Act. If a person was found to have a big bank balance, then that would come in as evidence against him. A heavier penalty was imposed under the original Act. Both these things have been eliminated. Penalties for additional fine have been taken out. That part of section 9 which gives power for additional penalties has been withdrawn under this new Bill. We do not know the reasons for this. The Hon'ble Minister was kind enough to give us details about various clauses, but he has not given us reasons for this omission, and this Bill is a mere caricature of the previous Bill. No Government should have brought such a Bill before this House.

[Sj. Debendra Nath Sen.]

Then there are two other points also. We thought that the Minister-in-charge would give us the results of the original Act in actual operation, and having given us the results would have told us "I wanted some amendments in this direction so that it might be more effective". We do not know what has been the results in actual operation. We do not know how many officers have been arrested, how many officers have been convicted, we do not know what category of officers have been arrested or convicted, whether they are smaller ones or whether they are bigger ones, whether the ones who are the mainspring of all these evils were touched or not. Some of my friends, particularly Sri Annada Prosad Choudhuri, said that if you punish the smaller ones and leave aside the bigger ones, then it becomes a farce; it becomes a torment to all. It becomes intolerable. Therefore, you should have given us the results of the actual operation of the Act for the last two or three years. The Hon'ble Minister has not given us any. I do not know whether it is because he is a newcomer he does not know it, or because he wanted conveniently to avoid giving us those facts.

[12-5—12-10 p.m.]

There is a third point which I would like to bring to your notice. Even if this Bill be put into effect in spite of its shortcomings, its scope should be further extended to include also the Ministers, the Deputy Ministers, and I would not mind if you even include the members of the Legislature. If a Minister is corrupt and if he is not punished, what is the good of punishing a small officer; or if a member of the Legislature is corrupt and he is not punished what is the good of punishing an officer. I do not believe that all officers are bad. I do not believe that the people of my Province are all bad. If they are bad it is because they have no example of honesty before

them. The scope of this Bill has not been extended to rope in all the big people and it should be extended to include Ministers, Deputy Ministers—let all be—

Sj. Satyendra Kumar Basu:

They are all Government servants. They are included in the category.

Sj. Debendra Nath Sen: You can put in a definition. I remember the Chief Minister once saying that we are a part and parcel of the Government—that members of the Legislature are a part and parcel of the Government. I think it is so. It is true that we are a part and parcel of the Government even though we are in the Opposition. The Ministers are more so. Unless you do this it becomes a farce and all the time will be wasted.

With these remarks, although I agree with the principle underlying the Bill, I oppose this amending Bill on these three grounds.

Sj. K. P. Chattopadhyay: Sir, I want to draw the attention of the House only to one example. My friend Sj. Annada Prosad Choudhuri had mentioned that there was a tendency on the part of the Government to let off big offenders and to punish petty offenders, i.e., those who try to stand up in the public interest. I will give you one specific example. It took place some years ago. It began when Sri Prafulla Chandra Ghosh was the Chief Minister. One of the officers of the Enforcement Branch had detected a big fraud on the part of Mr. Gordon, Director of Consumer Goods, in the matter of sale of several thousand bundles of yarn. The papers are with me. Before the attention of the Minister could be drawn to this Mr. Gordon, taking advantage of his position, got that officer suspended. When the matter was placed before the Chief Minister the officer was reinstated. On behalf of the public I insisted that Mr. Gordon should be prosecuted. I have in my own file a letter from the Chief Secretary on behalf of the Chief Minister to say that the papers were being got

ready for prosecution. Shortly thereafter the Ministry failed. No prosecution took place. Mr. Gordon went home unpunished. I am giving you a specific case.

Sj. Mohitosh Rai Choudhuri: Sir, I thought I would not take any part in the discussion of the Bill but as I went through the Bill and the original Act, two things struck me. My friend Sj. Deben-dranath Sen has already referred to it. I request the Minister in charge of the Bill to explain it very clearly so that we might consider the attitude which we should take—which some of us should take towards the Bill.

Sir, I think the Minister in charge of the Bill should be good enough to attend to us.

Sj. Satyendra Kumar Basu: I was trying to find out particulars about Mr. Gordon's case.

Sj. Mohitosh Rai Choudhuri: I wanted to know two things from him in order to be able to determine what attitude I should take towards the Bill. As my friend Sj. Deben-dra Nath Sen has said sections 8 and 9 of the original Act have been omitted. Why?

[12-10—12-15 p.m.]

Sir, in the Bill we find that section 8 has been omitted. This section is very important and as a journalist we hailed this section as an improvement. I think some committee made this recommendation to put a stop to corruption prevalent among the Government officers. We hailed this recommendation with gratitude. But this section now stands omitted from this Bill. This was an extremely important provision. It meant that if a person could not satisfactorily account for the possession of a property, if his pecuniary resources did not justify his possessing the property then there was some defect in him. This meant that an officer who was charged with this offence was required to satisfactorily prove wherefrom he had got the property in his possession. The

section about the special punishment has been also omitted. Therefore I would respectfully request the Hon'ble Minister in charge to explain these two omissions.

Sj. Satyendra Kumar Basu: Sir, my friend Mr. Choudhuri has struck a note of frustration but, Sir, that feeling does not overcome me as I am an optimist. I have no doubt that as soon as the Act is amended by passing this Bill it will be put into operation. Sir, my friends have indicated that there is no right of appeal from a decision or a conviction under this Act. I may draw my friend's attention to section 6 of the principal Act. It in no way interferes with the powers of the High Court conferred by Chapters XXXI and XXXII of the Code of Criminal Procedure. If you look at sections 410 and 418 of the Code, you will find that there is a right of appeal both on questions of facts and also on points of law. Therefore there is nothing in that point. This Bill is directed against Government servants and Government agents. Some friends have suggested that there are certain political aspects. I say there is no political aspect at all. It is directed entirely against Government servants taking illegal gratification and guilty of criminal breach of trust. Section 161 deals with public servants taking illegal gratification, section 162 deals with similar offences, section 163—taking of illegal gratification for exercise of influence on public servants, section 165—similar offence; the next section namely, 409 deals with criminal breach of trust by public servants in respect of Government property entrusted to them. There is another section namely, 414 directed against people dealing with Government property.

[12-15—12-20 p.m.]

And section 420, Sir, is a section dealing with cheating. The Bill relates to cheating by Government servants in respect of Government property. So there is no political aspect at all. My friends have suggested that sections 8 and 9

[Sj. Satyendra Kumar Basu.]

ought not to have been omitted by this amending Bill. Sir, as far as I can see, these two sections work hardship on the accused. First of all if you will go through the Criminal Procedure Code you will find that throughout there is a presumption of the person charged for an offence being not guilty. Sir, this section 8 has been deleted in order to make the Act in consonance with the general provisions of the Criminal Procedure Code. Otherwise, Sir, it will become inequitable. (Sj. DEBENDRA NATH SEN: Did the Supreme Court object to it?) The bottom will be knocked off if the Act is not in consonance with the general provisions of the Criminal Procedure Code. We are not prepared to take any risks. With regard to section 9 there again was hardship on the accused. If a man is convicted there are other ways of recovering the property from the accused.

The motion of Sj. Satyendra Kumar Basu that the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

(Clause 2 was held up.)

Clause 3.

Sj. Annada Prosad Choudhuri:

I beg to move that in clause 3, for item (a) of the proposed section 2(2) of the Act, the following be substituted, namely:—

“(a) is or has been a Judge of a High Court, or”.

Sj. K. P. Chattopadhyay: I beg to move that in clause 3, in item

(a) of the proposed section 2(2), of the Act, lines 1 to 3, the following words be omitted, namely:—

“or has been, or is qualified under clause (2) of article 217 of the Constitution of India for appointment as,”.

I also beg to move that in clause 3, item (b) of the proposed section 2(2) of the Act, be omitted.

Mr. Chairman: I believe you will say something on your amendment.

Sj. Annada Prosad Choudhuri:

Just a few words, Sir.

আমি যে সংশোধনী প্রস্তাব দিয়েছি তাতে “কাজ থ্রী, সাব-জজ (ট.)”-তে আছে যে

“The State Government shall appoint as a Judge to preside over a Special Court, any person who is or has been a Judge of a High Court, or is qualified under clause (2) of article 217 of the Constitution of India for appointment as a Judge”.

সে জায়গায় এটা রাখতে চাই যে—

“is or has been a Judge of a High Court, or those are qualified or is qualified”.

এটা বসাতে চাচ্ছি এই জন্য যে আমরা যে দৃষ্টান্ত নিবারণ করতে চাই সেই দৃষ্টান্ত এর মধ্যে এসে পড়ছে, কারণ যদি হাইকোর্টের জজ না পাওয়া যায় তাহলে যারা চাকরিতে আছেন—যেমন “সেশন জজ” বা “এডিশন্যাল সেশন জজ” তাদের নিন। কিন্তু যারা এখনও “কোয়ালিফায়েরড” হন নি, যাদের এখনও চাকরী হয় নি তাদের যদি একজনে নেবার কথা বলা হয় তাহলে তাদের কাছে এটা একটা লোভের কথা হবে যাতে তারা ঠিক ঠিক কাজ করে উঠতে পারবেন কি না সম্ভেহ। তাই এ “পোরশন” বাদ দিতে বলছি। কারণ যদি যথেষ্ট সংখ্যায় জজ না পাওয়া যায় তাহলে সেশন জজ বা এডিশন্যাল সেশন জজ হতে পারবে। কিন্তু যারা উমেদার তাদের যদি আশা দিয়ে নেওয়া যায় তাহলে পাকা-পাকিভাবে ভবিষ্যতে কাজ করতে পারবেন কি না সম্ভেহ। দায়িত্ব পালন করতে পারবেন কি না সম্ভেহ।

[12-20—12-25 p.m.]

Sj. K. P. Chattopadhyay: Sir, I have moved this amendment for reasons very similar to what Sri Annada Prosad Choudhuri has stated. I feel, Sir, that in these matters we should not appoint men who have become superannuated,

who have retired from service, and they should not be put in this kind of job. That will demoralise the judiciary. They will always have an eye for such future appointments, and there is a very great likelihood that proper justice may not be done. We have instances in the old British days of people who were known as "hanging judges", who wanted their promotion by sharp punishment of people whom the Government wanted punished. There is no question of politics, but whether it is a question of politics or whether it is a question of a Government official being tried, you must have Judges who will judge the cases without any such afterthought about what is likely to help them in their future promotion or appointment. These are my observations.

Sj. Satyendra Kumar Basu: Sir, I am opposing the amendments for these reasons. You cannot get a High Court Judge in office. There are about 20 High Court Judges and there is more than enough work for them, and in fact there is a lot of accumulation going on in the High Court. It is almost impossible to get a retired High Court Judge. You will require at least one Special Judge for a Special Court in a district, so that you will require about 14 such officers, and it will be impossible to depute 14 High Court Judges to take up these cases. Then, Sir, you are aware that persons answering the qualification have been appointed directly as High Court Judges and they have also been appointed as Judges to preside over tribunals.

Sir, there is a provision that the cases may be tried by even Assistant Sessions Judges. When Assistant Sessions Judges of some standing can try these cases, why should not a practitioner duly qualified, who has the requisite experience, be appointed to try cases under the Act?

Sir, these are the answers to the points raised.

The motion of Sj. Annada Prosad Choudhuri that in clause 3, for item (a) of the proposed section 2(2) of the Act, the following be substituted, namely:—

"(a) is or has been a Judge of a High Court, or"

was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 3, in item (a) of the proposed section 2(2), of the Act, lines 1 to 3, the following words be omitted, namely:—

"or has been, or is qualified under clause (2) of article 217 of the Constitution of India for appointment as."

was then put and lost.

The motion of Sj. K. P. Chattopadhyay that in clause 3, item (b) of the proposed section 2(2) of the Act, be omitted, was then put and lost.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

The question that clause 4 do stand part of the Bill was then put and agreed to.

[12-25—12-30 p.m.]

Clause 5.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 5, in sub-section (2) of the proposed section 4 of the Act, lines 3 and 4, after the words "State Government" the words "having regard to the general convenience of parties or witnesses in any particular cases" be added.

Sir, sections 5 to 6 of the Code of Criminal Procedure recognise that in selecting a forum for trial of criminal cases general convenience of parties or witnesses should always be taken into consideration. Instead of giving the State Government unfettered power to distribute amongst Special Court cases to be tried by them an indication should be given in the Act itself that this principle of convenience of parties

[Dr. Monindra Mohan Chakrabarty.]

and witnesses should guide the State Government in making such distribution. In considering the question of convenience the State Government will have in view such factors as the place in or near which the alleged offence has been committed and the distance between that place and the Court to which the case is sent up for trial, it being recognised as a sound rule of convenience that the Court nearest to the place of occurrence is the best forum for the trial of criminal cases. Therefore, Sir, I commend this amendment of mine for acceptance by the Minister in charge.

8j. Satyendra Kumar Basu: Sir, the amendment proposed is unnecessary. As has been already said, there will be at least one special court in each district. So convenience will be met. Government will certainly consider the convenience of the parties and the witnesses. No special provision need be made. My friend has drawn attention to some provision in the Code that the Court will take into consideration the convenience.

The motion was then put and lost.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 6(1), in the proposed first proviso to sub-section (1) of section 5 of the Act, in line 4, after the words "in the interests of Justice" the words "or for enabling the accused to have reasonable opportunities to arrange for his defence by a lawyer of his own choice" be added.

Sir, the proviso as proposed mentions only one ground for adjournment, viz., the interest of justice. What is and what is not in the interest of justice is always a debatable point. Nothing is supposed to be done by a court of law except in the interest of justice and

no purpose is served by such omnibus clause as the one proposed in the proviso in question.

In enacting special laws of the kind we are now considering that the Legislature takes upon itself a special responsibility to hold the balance between the Prosecutor and the accused and that special responsibility is not discharged by leaving things entirely to the discretion of Special Courts. The criminal trial is reduced to farce if the accused is not provided with reasonable opportunities to be heard and be defended by a lawyer of his own choice. An incorporation of this ground is an additional ground for adjournment would not in any way affect the exercise of judicial discretion by the Court in judging whether or not such an adjournment is called for in the interest of the proper defence of the accused. What would be required is reasonable opportunity and any demand for adjournment beyond the ambit of reasonableness would not compel the Court to adjourn a case. The necessity for speedy trial of a criminal case cannot certainly be over-emphasised. But in enacting laws for the purpose of ensuring speedy trial the legislator ought not to forget that if speedy trial is expedient in the interest of the State, it is, in case of an accused person, a right, and every person accused of an offence has a right to speedy trial. On these grounds, I move my amendment and I hope it will be accepted.

[12-30—12-35 p.m.]

8j. Satyendra Kumar Basu: Sir, the object of this proviso is not to allow unnecessary adjournments which will only delay disposal of the cases. The object of the Bill is to speedily dispose of cases. A court is authorised to grant adjournment to meet the ends of justice—to give reasonable opportunity to the accused to get ready and such adjournments are permissible in terms of the note of the proviso to section 6. So, I do not think that the amendment is necessary.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 6 (1) in the proposed first proviso to sub-section (1) of section 5 of the Act, in line 4, after the words "in the interests of Justice" the words "or for enabling the accused to have reasonable opportunities to arrange for his defence by a lawyer of his own choice" be added, was then put and lost.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 8, in section 7 of the Act, line 1, after the words "No court" the words "save the High Court" be inserted.

Sj. Sayendra Kumar Basu: Sir, I oppose the amendment, because the exclusive jurisdiction is vested in the special courts and we shall not agree to allow any transfer from this special tribunal to any other court.

The motion of Dr. Monindra Mohan Chakrabarty was then put and lost.

The question that clause 8 do stand part of the Bill was then put and agreed to.

[12-35—12-40 p.m.]

Clause 9.

The question that clause 9 do stand part of the Bill was then put and a Division taken with the following result:—

AYES—27.

Bagchi, Dr. Narendranath
Bandopadhyaya, Sj. Tarakdas
Banerjee, Sj. Bankim Chandra
Banerjee, Sj. Sunil Kumar
Banerjee, Sj. Tara Sankar
Basu, Sj. Gurugobinda

Bhattacharya, Sj. Bijan Bihari
Chakravorty, Sj. Hriday Bhushan
Chatterjee, Sj. Devaprasad
Das, Sj. Hare Krishna
Das, Sj. Santi
Guha, Sj. Prafulla Kumar
Guha Ray, Dr. Protap Chandra
Kumar, Sj. Siba Prasad
Mahanty, Sj. Charu Chandra
Majumdar, Sj. Sudhirendra Nath
Misra, Sj. Sachindra Nath
Mookerjee, Sj. Kamala Charan
Mookerjee, Sj. Kali Pada
Mukherjee, Sj. Kamada Kinkar
Musharraf Hossain, Janab
Roy, Sj. Chittaranjan
Saroogi, Sj. Pannalal
Sawoo, Sj. Sarat Chandra
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha Sj. Rabindralal

NOES—7.

Abdul Halim, Janab
Bhattacharjee, Sj. Durga Kinkar
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, Sj. K. P.
Rai Choudhuri, Sj. Mohitosh
Sanyal, Sj. Charu Chandra
Sen, Sj. Debendra Nath

The Ayes being 27 and the Noes 7 the motion was carried.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

[12-40—12-45 p.m.]

Clause 12.

The question that clause 12 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Sj. Satyendra Kumar Basu: Sir, I beg to move that the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952, as settled in the Council, be passed.

The motion was then put and agreed to.

Adjournment.

The Council was then adjourned at 12-41 p.m. till 2-30 p.m. on Saturday, the 26th July, 1952.

Members absent.

The following members were absent from the meeting held on 25th July, 1952:—

- (1) Bose, Sj. Subodh Kumar
- (2) Deb, Sj. Narasingha Malla
Ugal Sanda
- (3) Dutt, Sja. Labanya Prova
- (4) Nahar, Sj. Bijoy Singh
- (5) Pradhan, Sj. Lakhan
- (6) Sawoo, Sj. Sarat Chandra

COUNCIL DEBATES

Saturday, the 25th July, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Saturday, the 26th July, 1952, at 2-30 p.m. being the 14th day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITH KUMAR CHATTERJI) was in the Chair.

GOVERNMENT BILLS.

The Tribunals of Criminal Jurisdiction Bill, 1952.

[2-30—2-35 p.m.]

Mr. Chairman: The business before the House today is the Tribunals of Criminal Jurisdiction Bill, 1952. The Hon'ble Minister will please move the motion.

Point of Order.

Sj. Debendra Nath Sen: Sir, on a point of order. I find that the copies of the Bills that have been circulated to us do not contain the Statement of Objects and Reasons. The copies that had been circulated in the Lower House contained the Statement of Objects and Reasons.

Sj. Satyendra Kumar Basu: I can read it out to you.

Sj. Debendra Nath Sen: It is not a question of reading it out. I say, Sir, that the Bill is not in form and therefore it cannot be considered in this House. The rules also stand in the way of such consideration being taken up as also the Constitution. It would not do to say that the Bill has been passed by one of the Houses and therefore it can come up here bereft of its Statement of Objects and Reasons. The Bill might be passed in any of the Houses but unless it has received the consent of the other House it is a mere scrap of paper. It has no value, it has no sanctity—nothing more than what it had

been when it was introduced. Therefore, I submit that the Bill that has been placed before us is not in form, and this House cannot take it up for consideration.

Mr. Chairman: The procedure is that if a Bill is passed in the Assembly, there is no need to state the Statement of Objects and Reasons. It may be essential to state it during the introduction stage. Moreover, in the gazette the Statement of Objects and Reasons are published. I think we may proceed with the business.

Sj. Debendra Nath Sen: Sir, where is it laid down that because a Bill has been passed in the other House therefore when it comes to this House it need not contain Statement of Objects and Reasons? I do not find it laid down in any rules of the Constitution. It is not laid down anywhere. Sir, please look at the difficulties. We do not know what this Bill is introduced for. Sir, you also do not know it. You will ask us and ask yourself to consider this Bill. We do not know the reasons for bringing this Bill here.

Mr. Chairman: But in the Procedure Rules, it is laid down that in introducing the Bill, the Minister will state the reasons why it is being brought.

Sj. Debendra Nath Sen: By merely reading out the reasons we are not helped. We cannot commit it to memory. The Statement of Objects and Reasons is a pretty big thing containing twelve or more printed lines. By hearing it once from the Minister we cannot commit it to memory.

Mr. Chairman: I may tell you that this has already been published in the gazette.

Sj. Debendra Nath Sen: Sir, there also I would submit that not every person gets the gazette. I have missed the gazette which contains this Bill.

Sj. Prafulla Chandra Sen: The members of the Council do get the gazette.

Sj. Debendra Nath Sen: I do not know whether everybody gets the gazette. I do not know how we have missed.

[2-35—2-40 p.m.]

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, the whole question is whether the Bill which we are going to consider is in proper form without the Statement of Objects and Reasons. That is the point. Our contention is that without the Statement of Objects and Reasons the Bill is not in proper form. Therefore the House cannot consider the Bill at all.

Sj. Satyendra Kumar Basu: Sir, may I draw your attention to rule 69 of the Assembly Procedure Rules where it is stated that only the signed copies would be sent to the other House for consideration of the Bill, and nothing more is to be done.

Sj. Debendra Nath Sen: That is Assembly Rules.

Sj. Satyendra Kumar Basu: Yes, but I believe there is a corresponding rule in the Council also to that effect. The rule is that only signed copies are sent by the Speaker of the Assembly—here the originating House—asking for the concurrence of the Council to the Bill. (Sj. ANNADA PRASAD CHOUDHURI: The Bill is not complete. Let it be withdrawn.)

Mr. Chairman: The Bill which is before the House now, is a signed copy as passed by the Assembly, and it is exactly the same—I mean in this way, without the Statement of Objects and Reasons, it has reached us. There is no motion regarding the Statement of Objects and Reasons, and what is more it has got to be deleted at the time when it gets the assent of His Excellency.

Sj. Debendra Nath Sen: Sir, I have one submission. Without the Statement of Objects and Reasons we do not know why Government think it necessary to pass this Bill.

Mr. Chairman: This Bill was published in the gazette, and the honourable members could certainly see the gazette in the Library and see for what reasons the Bill has been introduced. Therefore the motion is in order.

Sj. Nirmal Chandra Bhattacharyya: Sir, we do not understand your ruling. I think so long as the Act is not passed, the Statement of Objects and Reasons should be in the Bill. That is our whole contention.

Mr. Chairman: We have received a message from the Lower House along with the Bill, and our concurrence is sought to the Bill. Therefore, we should proceed with the consideration of the Bill. I think the Bill is quite in order.

Sj. Debendra Nath Sen: Sir, the sending of the message is defective.

Sj. Prafulla Chandra Sen: It is not defective.

Mr. Chairman: The Assembly did not pass the Statement of Objects and Reasons, and therefore, they have sent it in the shape we have got it. The Bill is in order.

Sj. Debendra Nath Sen: Sir, rule 48 as well as rule 49 say that in introducing a Bill in a House it is necessary to put the Statement of Objects and Reasons, and this procedure is to be followed both by Government as well as by private members.

Mr. Chairman: In the originating House it was not there.

Sj. Nirmal Chandra Bhattacharyya: The Bill may be passed by the Lower House, but unless it receives the sanction of the Governor after it is passed by this House also it cannot be a law. And so long as that is not done, the statement should be there.

Mr. Chairman: The Statement of Objects and Reasons has been published in the gazette, and the Bill is quite in order. The statement is not the part of a Bill, and you will know the reasons as you

progress with the Bill. The Hon'ble Minister will give reasons as to why the Bill is moved.

[2-40—2-45 p.m.]

Anybody who chose to look into the gazette could have found that out. The whole thing is quite in order, and according to the established procedure, we can proceed with the business.

Sj. Nirmal Chandra Bhattacharyya: We have not been supplied with copies of the gazette.

Mr. Chairman: The library here is for the use of the members, and I suppose, if you were interested sufficiently, you would have been able to find it out.

Sj. Satyendra Kumar Basu: Under rule 48 the Bill has been published in the gazette.

Dr. Monindra Mohan Chakrabarty: On a point of order, Sir. This Bill has as one of its objects "the due safeguarding of industry and business", and reference to item 3 of the Schedule shows that one of such business is the business of banking, and I take it that the Bill—

Mr. Chairman: We cannot go into the clauses at this stage. You can say, what you want to say now, at the time the different clauses and the amendments relating thereto will be considered.

The Tribunals of Criminal Jurisdiction Bill, 1952.

Sj. Satyendra Kumar Basu: I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration. I shall read out the Statement of Objects and Reasons. "The West Bengal Special Courts Act, 1950 (West Bengal Act X of 1950)", was held by the Calcutta High Court and the Supreme Court to offend against Article 14 of the Constitution of India regarding equality before the law. The Act was therefore repealed and an Ordinance entitled the Tribunals of Criminal Jurisdiction Ordinance, 1952 (West Bengal Ordinance I of

1952), was promulgated in March last as Government considered that special courts or tribunals were absolutely necessary for the speedy trial of certain serious offences, for instance; waging war against the State, murder in disturbed areas or in the course of a raid on or a riot in a factory or mill or bank, etc. In the Ordinance, the defects of the West Bengal Special Courts Act, 1950, as pointed out in the judgments of the Calcutta High Court and the Supreme Court, were avoided. It was laid down that the offences, specified in the Schedule to the Ordinance, should be tried exclusively by tribunals and not by ordinary courts. Thus, no scope was left for discrimination between cases of the same type.

The present Bill is intended to replace the said Ordinance. The Bill generally follows the lines of the Ordinance but opportunity has been taken to improve upon the provisions of the Ordinance.

This Bill is directed against crimes by armed gangs and gangsters. Sir, you and the honourable members on the other side are quite familiar with raids on factories by armed gangs, the brutalities inflicted and arson, loot and robbery committed by these gangs. You are also familiar with the attacks on banks by armed gangs and attacks by these gangs on public roads on vans which carried money from the bank to factories for the purpose of making disbursements to the factory employees. Sir, in all these cases firearms and deadly weapons were used and most gruesome crimes, attended with the utmost brutality, were committed. People have been known to have been battered to death and thrown into burning furnaces to be reduced to ashes. Sir, these crimes are a source of great danger to the industry, the banks and the public and a large number of crimes have taken place since the cessation of the last War and there is a recrudescence of these crimes from 1950.

[2-45—2-50 p.m.]

There is a great frequency in these crimes. Only recently a crime

[Sj. Satyendra Kumar Basu.]
 was committed on High Road at Konnagar when one of the factory's vans was attacked and the durwan was killed and over Rs. 12,000 was looted. I believe, early this week, there was an attack of a similar character on a durwan at Strand Road and the officers in charge of the van were stabbed and money was looted. I shall give you an idea as to the number of serious cases. In 1947, there were 30 cases. In each case revolvers and daggers were used. In 1949, there was a fall in the number of cases -- it was 11-- and in each case revolvers were used. In 1950, there were as many as 33 cases, and stenguns, revolvers and daggers were used. In 1951, there were 18 cases, and up to June, 1952, there were 6 cases. In each of these cases firearms were used.

Sj. Debendra Nath Sen: So, the number of cases is dwindling. In 1951, it was only 11.

Sj. Satyendra Kumar Basu: In 1951, there were 18 cases. 1950 was the peak year with 33 cases.

Point of Order.

Sj. Debendra Nath Sen: Sir, another point of order. I want to submit that this Bill and many of its provisions are repugnant to two articles of our Constitution. It is repugnant to Article 14 and it is repugnant also to Article 19(c). Regarding its being repugnant to Article 14, the point was raised in the Lower House--I would repeat it here for several reasons. Firstly, the verdict given there is not binding on you, Sir, or upon us. The verdict given there might have been faulty or just, but in no case it is binding upon you. We hope that you will be able to give your unbiased opinion and apply your mind on this issue afresh. Secondly, Sir, the ruling that has been given there is that such a question is to be decided by reference to the High Court; the Speaker or the Chairman has got to say nothing in such a matter as this. We beg to differ. We think you have got sufficient

power to give a verdict as to whether this Bill or particular clauses in this Bill are repugnant to the Constitution, and we hope you will give the verdict.

There is yet another point why I raise this question. You remember, Sir, yesterday's incident arising out of a reply given to one of my supplementary questions. A large number of people are being detained as undertrials only because of the fact that there is a lacuna in the Act of which this is the descendant. The original Act is going to be rectified by this Bill because there was a lacuna in that and therefore a large number of people at Kakdwip are being kept as undertrials for the last three years. If again such a lacuna is allowed to continue in this Bill, then their hardship will be still further enhanced. Not only that, the Chief Minister, if he continues to remain as the Chief Minister till then, will come here and take us to task and say "You were members of the Council; why did you not check that? Why did you not then say that there was such a lacuna in such a Bill?" Therefore, Sir, I hope you would certainly not ask us to pass a Bill in which a lacuna is obvious. Having said so, I would like to develop my point as to how this Bill and its provisions go against our Constitution. Take Article 14 -- "The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India." If this Bill is passed, Sir, that equality is disturbed. A person committing a crime in an area will be tried under certain special provisions under this Bill, if that area is declared a disturbed area. A person committing the same offence in another area which is not declared a disturbed area will be tried in a different way.

[2-50—2-55 p.m.]

Therefore, for committing the same offence one person gets one form of treatment and another person gets another form and it violates Article 14. We are sure that such an obvious mistake, if it goes to a

High Court or the Supreme Court, will be declared *ultra vires* and will be made a laughing-stock of everybody, and we do not like that.

There is another point, Sir. Who is to decide whether an area is to be declared a disturbed area or not? There is no criterion given here. The Minister may think that a particular area is a disturbed area and another may not think it to be so. Therefore, that discrimination may come in. If a person commits a crime in an area and if this Government is prejudiced against that—

Mr. Chairman: Mr. Sen, we have not come to all those points. You need not dilate upon them.

I think the honourable member wants to draw the attention of the Chair to Articles 14 and 19C. I think, he wants the opinion whether the provisions of this Bill are *ultra vires* or not. I think, I gave a decision on a similar situation on a previous occasion. I do not think that it is the function of the Chairman of this House to give a legal opinion, whether the Bill as it has been passed in one House and transmitted to us for consideration is *ultra vires* or not. That is for the court of law to decide. The Government is taking up responsibility, and it is for the public to ask Government to explain its position in a court of law. I have got to see whether there is a *prima facie* case according to the rules of this House. I think it is clear that this is in order and let us proceed to business.

Sj. Debendra Nath Sen: After having heard us the Hon'ble Minister for Law and Justice might think that there is a lacuna, and therefore, he might be persuaded to change.

Mr. Chairman: This is a matter of detail which the Hon'ble Minister will take note of.

Sj. Satyendra Kumar Basu: Sir, I have very carefully considered the matter. I do not know whether my friend has read the judgment of the Supreme Court in Anwar Ali's case and the Sourashtra case. The matter has been discussed in

the long judgment. The Supreme Court case was decided by several learned Judges in Anwar Ali's case, and there were five Judges in the Sourashtra case. We have followed the decisions in those cases for the purpose of constructing the present Bill.

Sj. Debendra Nath Sen: Sir, about 19C I have not been allowed to say anything—how this Bill offends 19C?

Mr. Chairman: It is all right. I say the fundamental point before the—

Sj. Satyendra Kumar Basu: I do not know if my friend is seriously suggesting that dacoits and gangsters have the right to form association of unions.

Sj. Debendra Nath Sen: No.

Sj. Satyendra Kumar Basu: That is what 19C is.

Mr. Chairman: I do not think that it arises. Let us proceed with the business.

Let Janab Abdul Halim move his amendment.

[2-55—3 p.m.]

Dr. Monindra Mohan Chakrabarty: Sir, may I draw your attention to clause 3 of the Schedule. One of the objects of the Bill is to safeguard the business of the bank and this belongs to Union List and as such it cannot be in order—

Mr. Chairman: That point is not relevant here. When we come to the Schedule you may raise that point.

Dr. Monindra Mohan Chakrabarty: Sir, banking belongs to Union List and as such it is beyond the competence of this Legislature to discuss this Bill.

Mr. Chairman: No, it is within the competence of this House to discuss the Bill. Yes, Janab Abdul Halim, you may now move your amendment.

The Tribunals of Criminal Jurisdiction Bill, 1952.

Janab Abdul Halim: Sir, I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 31st March, 1953.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 1st December, 1952.

Sj. Annada Prosad Choudhuri: Sir, I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 15th of October, 1952.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 25th of August, 1952.

Mr. Chairman: The next amendment of Sj. K. P. Chattopadhyay had been wrongly placed under the West Bengal Criminal Law Amendment (Special Courts) Amending Bill, 1952. So, I permit him to move it as a short notice amendment.

Sj. K. P. Chattopadhyay: Sir, I beg to move on short notice that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 31st January, 1953.

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার! দেশে এমন কোন পরিস্থিতির উদ্ভব হয় নি যে এই বিলের প্রয়োজন আছে। গভর্নমেন্টের পেনাল কোড ও ক্রিমিন্যাল প্রসিডিওর কোডের যে আইন আছে এবং সাধারণ কোর্টে যে বিচারের “প্রভিশন” আছে, যে “প্রভিশন”এ ডাকাত, “মার্ডার” প্রভৃতির বিচার করার যথেষ্ট পথ আছে এবং সেই কোর্টে যে ম্যাজিস্ট্রেট ও জজ আছেন তাদের মারফতই তঁরা বিচার করতে পারেন। আমরা জানি দেশে এমন কোন পরিস্থিতির উদ্ভব হয় নি বা অরাজকতা হয় নি এবং ভারতের রাষ্ট্রপতিও এরকম অবস্থার উদ্ভব হয়েছে বলে ঘোষণা করেন নি। কাজেই এই বিলের প্রয়োজনীয়তা আছে বলে মনে করি না। যদি সে রকম প্রয়োজনীয়তার উদ্ভব হয় বা বিলের প্রয়োজনীয়তা থাকে তা হলে বিল

“সাকুলেশন”এর জন্য দেওয়া হউক। তখন যদি প্রয়োজন হয় এই বিল সম্পর্কে আলোচনা করতে পারেন। কাজেই দেশে এখন এমন কোন অবস্থার উদ্ভব হয় নি, এমন কোন অরাজকতা হয় নি যে এই বিলের প্রয়োজন হতে পারে। সেইজন্য আমি মনে করি এই বিল “সাকুলেশন”এর জন্য দেওয়া হউক।

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, we have suggested that the Bill be circulated for eliciting public opinion thereon. The Bill should be considerably modified if it is to be placed on the Statute Book. I will indicate the reasons thereof in some detail. In the beginning, it is told that the Bill will be operative in an area where there is extensive disturbance of public peace and tranquillity.

[3-0—3-5 p.m.]

Now, Sir, who is to declare the area of disturbance of public peace and what will constitute disturbance of public peace. If people who are hungry come to the town it may be declared to be a serious disturbance. It has been done so. If people organize trade union movement it may be declared to be an area of disturbance. If Tebhaga agitation is developed the Government may declare the area as one of disturbance and then put into operation this particular Bill and appoint special courts. The honourable member in charge of the Bill has certainly stated that it is to stop arson, dacoities, murders, etc. Certainly that is a good object, but he is new to this work, Sir, and I will give him credit for his honest belief in the objects of the Bill. It is called an infant State, and therefore I can only compare him to an unborn babe in his innocence. As I have said, Sir, one of the first things that we have got to bear in mind is what will be the disturbance of public peace and tranquillity which will justify the operation of this particular Bill when it is put on the Statute Book. You are aware, Sir, that I read out some charge-sheets earlier in connection with another debate. We have seen how extraordinary charges are brought against people by the police when they want to shut up anyone. What is there to prevent

the police from unreasonably declaring that in a particular area raid and serious disturbances have broken out. You are aware, Sir, that under British rule, when very peaceful civil disobedience movements were carried out, these were described as riots. Quite a number of us had taken part in these movements, had been beaten up by the police and then been charged that we were rioting. I remember one occasion when we marched across the Chowringhee into the Maidan to plant the National flag and to read out the Declaration of Independence. We were absolutely peaceful but after we had planted it we were described as having committed a riot. It is the same thing still. It is the same police. They have been accustomed to look upon any people who demonstrated against injustice as rioters, as criminals. Their mentality has been built up by this processing, and conditioning that is admitted, and it is these people who are being given these extreme powers and it is by them that these areas will largely be declared areas of disturbance.

I now come to the matter of appointment of Judges. Yesterday in connection with another matter, about the object of which we did not have any difference, we made it clear that judges must be proper judges. We do not want judges to be selected. In America at one time during prohibition bootleggers ruled supreme. The bootleggers with powerful financial interests behind them practically had their way in all cases. When it was suggested that they had been bribing judges it was pointed out that they did not bribe the judges; they selected the judges. In this case I am not satisfied with the classification of persons qualified to be judges or with the appointment of persons who have been just one year or so as additional judges. That is not proper.

[3.5—3.10 p.m.]

Only people who have shown judicial impartiality and risen to be High Court Judges should have

been put under that clause and nobody else. There should not be any loophole given for selection of any kind. As I shall tell you later on, as it is, the trying officers are influenced unduly by the police.

Next, there is the question of adjournment, and in the preamble it is stated "to provide for speedy trial of certain offences". Now, Sir, why are there delays in the trials of most of these political or semi-political cases? Are they due to any trouble on the part of the accused persons? Certainly not. I will give you specific cases. The other day the Hon'ble Chief Minister said that we are allergic to statistics. Well, Sir, we are not unduly sensitive to statistics. We never resent them. I remember quite well that when the Food Minister gave us a lot of statistics, I asked for some more. He might have complained that like Oliver we are asking for more. We did not display undue sensitiveness. You will remember, Sir, that some years ago—it was not even a political trouble there was a demonstration along Harish Mukherjee Road in connection with trouble in the University. About 150 students were arrested on certain charges. Many of them were kept in jail without bail for over a week. After some weeks the case was withdrawn against about 100 of them. The case against others dragged on. It came up before the Magistrate and each time the Police wanted adjournment and nobody else. The accused were all anxious to have the matter done with, but the Police asked for repeated adjournments. The case dragged on for a whole year. The Magistrate discharged everybody excepting two. Against them also there was no evidence. But since they were known to have some connection with politics the Magistrate said "I find that they have been in a procession, but since the procession was not illegal—there was no Section 144—I merely admonish them." This was the case. I mean it is the Police who cause the delay in these political and semi-political cases. What is the good of setting

[S]. K. P. Chattopadhyay.]

up a Special Tribunal for that sort of thing? You have got to mend your Police, you have got to mend your law courts by giving directions that they should promptly dispose of cases. When the Police have not the evidence, they do all sorts of things. There is a member of the Assembly, Sri Hemanta Ghosal, against whom a case was kept going for fourteen months.

As Chairman of the Civil Liberties Committee, I have to intervene from time to time in such matters—I am not a lawyer however—but I have to take action. I had to write a letter to the Home Minister. In April, 1950, a leaflet on Peace Conference was printed at a press owned by a Mr. Goenka of Bankura by one Mr. Sen. Orders were stated to have been placed for print by Sri Sen and delivery taken on the basis of that. There was nothing seditious in that. But still Mr. Sen was arrested on 27th April and kept in custody till 2nd June without any bail.

[3-10—3-15 p.m.]

Then after that he was home-interned and the case went on. He had to report himself at the thana. He was not allowed to go out of the municipal area of Bankura town. No amount of representation in court helped until we kicked up a row here and then within a week the case was discharged and the man released. Is there any reason for having a Special Court for this sort of thing? You have to see that Police do not meddle unduly and that your magistrates have courage enough to stand up against this kind of interference by the Police.

Yesterday in reply to a question of Janab Abdul Halim the Chief Minister stated that there had been a good deal of delay in the trial of Kaldwip and similar cases because the Special Courts Act had been declared *ultra vires*. I am afraid I have to differ. I have in my file a list of 21 persons from Jhowgacha, 75 persons from Sikdwa, 127 persons from Deoli and also others who had been arrested in

1949. With regard to them no court trial was taking place for about a year. I had represented on behalf of the Civil Liberties Committee to the Home Department and the Home Minister after a talk said that there would be a conference. There was a conference and I had to point out that most of these people were not getting bail and were practically treated as criminals. After a good deal of agitation some remedy was had. It is not correct to say that the Special Court has been declared *ultra vires* and therefore there has been delay.

[3-15—3-20 p.m.]

The delay took place and for a long time, long before the Special Courts Bill came into existence the police not getting sufficient evidence used to keep the accused in jail. It has been our experience, as I told you, Sir, that whenever there was any political agitation against injustice under the British rule the people were arrested on charges of dacoity and riot and what not. People standing up against injustice were arrested on certain general charges so much so that printed charges forms were filled up and they did not bother about the reasons. There were many lists of offences and they did not care to find whether they were irrelevant or not. On one occasion I was flabbergasted and I could not find out the head or tail of these printed forms charges. Sir, the police in our country is very seriously taken. If you are arrested you will be shown several charges, carrying deadly weapon, robbery, dacoity, murder, use of firearms, ammunition, etc. This may happen to any man who incurs the displeasure of the police, and he will be molested and sent to jail. So I think there should be some safeguards. We have seen, Sir, how the trying magistrates are eager to satisfy the police for promotion. Even the I.C.S. people could not afford to defy the police. The I.C.S. Judges sometimes acted according to the instructions received from the Home Department by telephone.

[3-20—3-25 p.m.]

They lamented such actions which they did during the British regime as their agents. Others were more honest and applied for transfer to the Judicial section and cleared out. Now this being the position, under the present system of trial there is at least this safeguard that there will be a certain number of jurors drawn from the ordinary citizens who will not care to such an extent or at all for brow-beating by the police. Of course it may be possible for a few to spare the time to act as jurors till the conclusion of the case but all the people cannot act as jurors for such a long time; in these days that is not possible. There should be a provision to that effect to safeguard such trials, to safeguard the use of this Bill if it is passed into law. Otherwise you can apply this steam-roller, the Government can apply this steam-roller as they like. When this Bill is passed into law they may apply it against political movements as they have done in the past and then that little safeguard of trial by jury will completely disappear. What will happen will be that, because they will be selected judges who will expect of Government promotions, extensions, etc., they will do what the Home Department wants them to do while there is another clause, the indemnity clause that if anything is done in regard to this Act there will be no need of indemnification. I don't refer to the tribunal but this kind of indemnification does not even require any law. The police may do anything they like; they may shut down people for making a peaceful protest. They never are prosecuted for that. In Bow Bazar on the 29th April, 1949, they did so. The coroner and the jury agreed that there was absolutely no justification for firing but no action was taken. In the Alipore Central Jail forced feeding of a hunger striker was done in such a fashion that the prisoner died. He is Murari Das. Nothing was done. Not only did he die but the body was burnt under police escort. So far no

enquiry has been made. (Sj. NARMAI CHANDRA BHATTACHARYA: Shame, shame.)

I will give you some details of the case. I had heard that such forced feeding had taken place. Some rumours were afloat but I did not know that the person died. At that time Dr. Roy was in Switzerland. Mr. Sarker was acting Chief Minister, and Mr. Kalpada Mookerjee was the Home Minister. I sought for an interview with them and prayed for permission to visit the Alipore Central Jail as Chairman of the Civil Liberties Committee in company with some medical practitioners of eminence. At 8 o'clock in the evening when I was waiting for an interview at Mr. Sarker's residence I was told that everything was all right, and they hoped that nothing untoward had happened. I returned as soon as they refused to give me permission to visit the Alipore Central Jail. We published details that the permission had been refused. At half past eight, within half an hour of my return, I was told over the telephone by a person, who refused to give his name because he knew that if my telephone was tapped he might get into trouble with the police, that Murari Das had died in the Alipore Central Jail as a result of forced feeding, and that his body was carried away under heavy police escort and was burnt in Keoratala burning ghat. I checked up the facts and found that the man had died and that his body had been burnt like that. I made certain speeches sharply criticising the Government and demanded an enquiry. What was the result? A gag order was passed on me as the order ran that I was likely to indulge in subversive speeches and activities. The order was exactly similar to another order which the British Government served on me in 1930. The parallel is the same. I am not surprised, Sir, when Sri C. Rajagopalachari became the first Governor-General of free India he gloried in the fact that he was a successor of

[Sj. K. P. Chottopadhyay.]

Warren Hastings. Well, naturally the present Government has only the inglorious record of their British rulers. These are the kinds of things that may happen not only with regard to life but also with regard to property. In the course of searches the police took away books, they took away other things, seized furniture. They are never returned. I will give you specific examples.

[3-25—3-30 p.m.]

Sir, I believe in facts, not in theories. Three years ago when Mr. Sudhir Pradhan was arrested, his house was searched, and a number of books of his library were taken away. Members of his family wrote to me that he had been arrested, and the Police were taking away his books, and I represented the matter to the Government. I received a reply that the Police were trying to take away books although they were not illegal. I consulted lawyers, and they said that the police action was absolutely illegal. I wrote back to Government again and finally they realised that there might not be a case after all, and later on the books were returned. I have now before me a letter from the Nadia Communist Party. At the time when it was declared illegal their furniture was taken away. Some time ago when the People's Committee was declared illegal and their medicines were seized, I asked the Chief Minister to make over some valuable drugs to some useful organisation. He told that it would be illegal to dispose of property seized in these circumstances, but his underlings have done so! Although I made representations on their behalf, no reply has been sent. No action has been taken against the people for this illegalised loot. This is the position, Sir. If you have this Bill passed, and if you allow tribunals to be set up in this fashion, all those things will happen. Whenever there is any movement protesting against injustice, it will be declared as a disturbed area, and people will be

hauled up before the Special Courts, and Police will always bring up charges of dacoity and murder and arson and loot and what not, and then there would be conviction; they may create disturbance by *lathi* charges and tear-gasing of peaceful people, and they will loot the houses and then they will say there has been robbery, and we shall have this kind of extraordinary lawless rule in these areas. For this reason, Sir, I oppose the introduction of this Bill and, in case the introduction has already taken place, I would request the Hon'ble Minister in charge of the Bill to have the Bill circulated for eliciting public opinion. He will find soon enough that even many of those who have elected him to the Assembly will not agree to this kind of setting up of Special Courts.

Sj. Debendra Nath Sen: Sir, on a point of information. Will any member from the other side speak?

Mr. Chairman: I will go according to the list. Mr. Durga Kinkar Bhattacharjee may speak now.

Sj. Durga Kinkar Bhattacharjee: Mr. Chairman, Sir, I oppose this unseemly piece of legislation tooth and nail because I feel that all the provisions of the Bill from the Preamble down to the last clause are simply obnoxious. I do admit, Sir, that I am no jurist and I have no capacity of entering into the legalistic legalities involved in this Bill. But some of the provisions of this Bill appear to be repugnant even to an ordinary layman like myself. First of all, Sir, the Bill is sought to be introduced in the interest of public peace and tranquillity. "Public peace and tranquillity" that is a useful epithet and expression for those who are in charge of administration. It has been admitted on all hands—and His Excellency's Address is the most potent testimony to this—that an atmosphere of peace and calm and tranquillity prevails throughout the length and breadth of this entire State. Naturally when in such an atmosphere of normalcy a Bill like this is sought to

be introduced, we feel that whatever may be the pronounced intention of the Government, the real intention is otherwise and it is dark and sinister in complexion.

[3-30—3-35 p.m.]

Secondly, Sir, the ostensible ground on which the Bill is sought to be introduced is the speedy disposal of cases under trial. This can be done simply by giving strict instructions to the Police. We know in the past there has been delay in the disposal of cases but this delay has been wilful. It has been done at the instance of the Executive. It has been a sort of retaliatory measure. It has come out of a mistaken sense of prestige and a vindictive attitude on the part of the Executive. It has been done simply to harass the victims.

Thirdly, Sir, the Bill as we find it is intended for some species of offence in disturbed areas. What these disturbed areas are I do not know and I cannot follow. I would like to ask our Judicial Minister what he means by that expression and does he mean those areas where the representative popular opinion rises against the present Government. Next there is a dangerous thing that the Judge presiding over the Tribunal is to be appointed by the State Government. This provides in a very shrewd and subtle way the scope for interference of the Executive into the administration of justice, particularly when there is no provision for jury trial. This will simply mean that the Judge, the yesman of the Government, will be anxious to look to the personal ends and not to meet the ends of justice.

Another point is this. These offences might be committed in a particular area, a disturbed area, but trials may be held by the Tribunal in different places. Now this will put the alleged offenders into enormous difficulties. The administration of justice is, as we all know, to mitigate the miseries of the people and not to enhance their difficulties. But this Bill will make the process more complicated and result in an absolute

denial of justice. Sir, from all the points raised above, it is obvious that the Bill is designed primarily to suppress all democratic movements and to suppress the political opponents of the present party in power. The present Government have failed to discharge their primary obligations to the people. There is smouldering discontent everywhere and the public opinion is steadily mounting against the present Government. Our Government, therefore, feel shaky and want to be armed with these laws that give them special powers. They are trying their best to maintain stability and to have a longer lease of life to themselves. Sir, we all feel that the Bill comes from our Judicial Minister and though it is the hand of Sir Basu actually the hand is that of those old Imperialists who were in charge of our destiny. I do feel that to have justice is the most unassailable and invulnerable right of mankind, and I would appeal to the Judicial Minister not to tag justice into the vertex of party politics.

[3-35—3-40 p.m.]

Sj. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়। এই বিলের প্রথম কথায় বলা হয়েছে যে এতে কতকগুলি অপরাধের বিচার খুব তাড়াতাড়ি হয়। বিচার তাড়াতাড়ি হওয়া দরকার কিন্তু তাড়াতাড়ি বিচার করবার জন্য যদি তার প্রয়োজনীয় ব্যবস্থার অভাব হয় তা হলে বিচার অনেক সময় তাড়াতাড়ি করতে গিয়ে অবিচারে পরিণত হবার আশংকা থাকে! সেইজন্য আজ এই যে বিন আমাদের সামনে উপস্থাপিত করা হয়েছে তাতে একটা “শেডিউল” দেওয়া হয়েছে। এই “শেডিউল”এর দুটো ভাগ আছে। একটা এই—যে জায়গা “ডিস্টার্বড এরিয়া” অর্থাৎ সরকারের মতে যে জায়গায় নানাপ্রকার অশান্তি ও গোলমাল সৃষ্টি হয়েছে সেখানে যেসব অপরাধ সংঘটিত হবে তার বিচার তাড়াতাড়ি করা। “শেডিউল”এর প্রথম ধারা এমন কতকগুলি “সেক্সন” লেখা আছে যা “ডিস্টার্বড আন্ড-ডিস্টার্বড” কিছু বিচার না করে যে সব অপরাধ স্টেটের বিরুদ্ধে করা হবে তার তাড়াতাড়ি বিচার করবার বিধান এতে করা হয়েছে। স্টেটের বিরুদ্ধে যে সমস্ত অপরাধ তার আওতার আঁমি এককালে নিজেই পড়েছি এবং এই যে বিচার করবার ব্যবস্থা আজ করা হচ্ছে তা নতুন নয়। এ ব্যবস্থা চলে আসছে ইংরাজের আমল থেকে। বর্তমান ইন্ডিয়ান পেনাল কোড হয়েছে ততদিন ইংরাজের বিরুদ্ধে কোন আন্দোলন করলে, ইংরাজের এদেশ থেকে সরিয়ে দেওয়ার জন্য কিছু করলে সে পেনাল কোড তারা বদলায় নি—এবং সেই পেনাল কোডের ১২১, ১২২, ১২২(ক), ১২৩ ধারার জন্য পেনাল কোডের বিচার দায়ার আওতা থেকে

[Sj. Annada Prosad Choudhuri.]

সারিয়ে তাড়াতাড়ি টাইবিউনালে বিচার করা হত। এ ইংরাজেরা করে। বিশেষ বিশেষ ক্ষেত্রে যখন তাদের বিচার তাড়াতাড়ি করতে হয় তখন তারা টাইবিউনাল করেছে, কিন্তু এরকম কোন ব্যবস্থা ছিল না যে স্টেটের বিরুদ্ধে এই এই সেক্সনে যে অপরাধ করবে স্টেট সেই অপরাধের ইন্ডিয়ান পেনাল কোডের মারফৎ বিচার না করে টাইবিউনালের হাতে তুলে দেবে যাতে জুরীর কোন ব্যবস্থা নাই বা তাড়াতাড়ি বিচার করবার আগেকার যে পদ্ধতি ছিল তার আমূল পরিবর্তনের প্রয়োজন হচ্ছে। আমি এজন্য গুরুতর আপত্তি দিই।

এরপরে “জিস্টার্ব ড এরিয়া”র কথা বলব। মণ্ডি-মহাশয় হয়ত বলবেন আমাদের এ অংশ দিনের “বেবী স্টেট” কিন্তু ইন্ডিয়ান পেনাল কোড যারা করেছিলেন তাদেরও একদিন “বেবী স্টেট” ছিল; তারা ত এ ভাবে বিচার করে চলে গেছেন এবং তার বিরুদ্ধে অনেক রকম অভিমত পোষণ করে গতানুগতিক অভিযোগ করা হয়েছে। আজ আমাদেরই কি সারা দুনিয়ার মধ্যে “বেবী স্টেট” যে ইন্ডিয়ান পেনাল কোড যেমন বলে সে রকম না করে এবং অতীতে যে পেনাল কোড অনুসারে আমাদের দেশ শাসন করা হয়েছে তার বিধান এখন চলে না? তারপরে “জিস্টার্ব ড এরিয়া” কি হলে হয় তা বলা হয় নি। আমরা অনেকে “জিস্টার্ব ড এরিয়া”র মধ্যে পড়েছি—শব্দ আমি একা না, আজ ঐ দিকে প্রফুল্লবাবু বসে আছেন, তিনিও অনেক “জিস্টার্ব ড এরিয়া”র মধ্যে কাজ করেছেন। আমার মনে হয় তাড়াতাড়ি বিচার করতে গিয়ে যেন সরকার তাদের দলগত “বেবী স্টেট”কে রক্ষা করবার জন্য প্রতিহিংসাবশত এই বলুন—যেন বিচারের নামে অবিচার না করেন এবং এই যে তাড়াতাড়ি বিচার করবার জন্য তাদের যে ব্যস্ততা দেখা যাচ্ছে সে জন্য দুটো উদাহরণ দিয়ে আমি তাদের সাবধান বাণী উচ্চারণ করতে চাই। ইংরাজ শাসনের অবসান ঘটে গেছে। ইংরাজ শাসনের এক একজন পিগার যে জেলা ম্যাজিস্ট্রেট কাজ করে গেছেন তাদের জীবনের জিয়ার উপর আমাদের ব্যক্তিগত যে যোগাযোগ ছিল সেই কথা আমি বর্তমান সবকারের কাছে একটু উল্লেখ করতে চাই।

মেদিনীপুরে লিডসে বলে ডিস্ট্রিক্ট ম্যাজিস্ট্রেট ছিলেন। তিনি সব লোকের সঙ্গে মিশতেন। তখন সেখানে আইন অমান্য আন্দোলনের ব্যবস্থা হয়। সেই আইন অমান্য আন্দোলনের জন্য চারিদিকে যখন পিকিটিং, গোলমাল আরম্ভ হল তখন তাব কাছে আইনের মর্যাদা বড় হলো। তিনি মনে করলেন—করুৎ এরা, দেখি কি করে। সে জায়গায় আইন লঙ্ঘন করেছে বলে তখনকার সে রাজ্য রসাতলে যায়নি। তিনি তাদের কাছে গিয়ে বলেছেন—“বেশ, বেশ, তোমরা ভাল করছ, তোমরা তোমাদের দেশকে উদ্ধার করতে চাও: “আই উইস আই কুড জরেন ইউ”। তখন সেটা পশ্চিমবাংলা নয়, বাংলাদেশ ঠিকই ছিল। তারপরে আর একজন মেদিনীপুরের জেলা ম্যাজিস্ট্রেট হলেন—তার নাম “পেগডা”। তিনি চেয়েছিলেন রাজ্য রসাতলে না যায়। তিনি যখন চাকরী করতেন তখন সেই কষ্ট বা পালন করতে সোলেন। তাই যখন সেই আইন অমান্যকারীরা অহিংসভাবে নূন তৈরী করতে গেল পেগড সাহেব রাজারক্ষা করবার জন্য সেটা “জিস্টার্ব ড এরিয়া” কোরে দিয়ে আইন অমান্যকারীদের নিষ্পত্তি করে

মারলেন। তিনি যে মারেন আর লিডসে সাহেব যে মারেন নি তাতে ত রাজ্য রসাতলে যায় নি। সেই যে রাজারক্ষা করবার জন্য মারলেন, এবং সেজন্য যে তাড়াতাড়ি বিচার করতে গিয়েছিলেন তার কি পরিণতি হয়েছিল তা শুনছেন। তাই আমি কেবল বলি—তাড়াতাড়ি বিচার করবার জন্য এই বিল যার সম্বন্ধে অনেক আপত্তি আছে, এবং যার মধ্যে এমন “প্রতিসন” আছে যে কোন অতুৎসাহী কর্মচারী কোন অন্যান্য কোরে ফেলে তা হলে এই বিলের ভিতর যা আছে—

Which is done or intended to be done....

তা হলে তার কিছুই হবে না। এই রকমভাবে হাতে ক্ষমতা দিয়ে যদি অফিসারদের ছেড়ে দেয় এবং তারা যদি তাড়াতাড়ি বিচার করবার জন্য যদি এই “জিস্টার্ব ড এরিয়া”তে এই ধরনের রাজ্যের বিরুদ্ধে কাজ বোলে যে সমস্ত বিধি আছে—এই বিধানে যেখানে যা ঘটে তার যদি এই টাইবিউনালে তাড়া-তাড়ি বিচার করেন, তা হলে তার পরিণতি কি হবে এই দুজন জেলা ম্যাজিস্ট্রেটের জীবনের অভিজ্ঞতা থেকে লোক যে শিক্ষা পেয়েছে বা আমি পেয়েছি তা সবকারকে অনুধাবন করতে বলি।

[3-40—3-45 p.m.]

Sj. Hare Krishna Das:

মাননীয় সভাপতি মহাশয়। ভারতের সংবিধান অনুযায়ী ফৌজদারী আইনের মূলনীতির প্রতি লক্ষ্য রাখিয়া এই বিলটি প্রণয়ন করা হইয়াছে। এই আইনে অভিযুক্ত ব্যক্তি একমাত্র জুরীর বিচার ব্যতীত অন্য সকল বিষয়ে যে কোন ফৌজদারী আসামীর নামে সকল সুবিধাই পাইবে। এক দিক হইতে এই বিলে আসামীকে সাধারণ ফৌজদারী বিচারের তুলনায় অধিকতর সুবিধা দেওয়া হইয়াছে। সাধারণ ক্ষেত্রে মামলার কোন ঘটনা সম্পর্কে হাইকোর্টে আপীল করা চলে না। এই বিলে ঘটনা ও আইন উভয় প্রক্ষেপে হাইকোর্টে আপীল করা অধিকার প্রদত্ত হইয়াছে। নিম্ন আদালতের বিচারে অভিযোগের আইনতঃ সত্যতা প্রমাণ করায় যে বিলম্ব হয়—বিশেষ টাইবিউনালে সে বিলম্বের কোন বকম কারণ নাই। অধিকন্তু বিচার শীঘ্র সম্পন্ন হইয়া যাইবে। আমাদের দেশে শতকরা ৫০ জন জুরী অসংগত রায় দেন বলিয়া দেখা গিয়াছে। ১৮৯৩ সালে এই জুরীর বিচার বাংলা-দেশে প্রবর্তিত হইয়াছিল। আমি ব্যাপ্তের নিরাপত্তা, দেশের অগ্রগতির কথা চিন্তা করিয়া কাজ করতে আহ্বান জানাইতেছি। বিবোধী পক্ষ হইতে যে সমস্ত যুক্তি তর্কের অবতারণা করা হইয়াছে তাহা অত্যন্ত আড়ম্বরপূর্ণ বলিয়া আমি মনে করি। যেখানে রাষ্ট্রের নিরাপত্তার প্রশ্ন, জনসাধারণের শান্তি ও উন্নতির প্রশ্ন আছে সেখানে যাহারা হিংসাত্মক পন্থা অবলম্বন করিয়া হত্যা, লুণ্ঠন, নির্ব্যাতিত ও নারী-নিগ্রহের মধ্য দিয়া অরাজকতা সৃষ্টি করিতে তাহাদের দমনের জন্য এই ধরনের বিল আনার প্রয়োজন আছে। বিবোধী পক্ষ কি অরাজকতা চান? তারা কি আইন-শৃঙ্খলা চান না? আপনারা কি চান যে সমস্ত দেশটা গান্ধী বদমায়েসের রাজত্ব হউক? দেশকে উচ্চশ্রমপ্রবণ জনতার হাত হইতে রক্ষা করিবার জন্য এই বিলের প্রয়োজন। গান্ধী, বদমায়েস দ্বারা আচারিত গান্ধামী, নরহত্যা প্রভৃতি দ্বারা জনতীব্র দূর্ব্বহ করিবার দম্প এই বিলের প্রবর্তন ঘটাইবে।

জনগণের ইচ্ছার কংগ্রেসী সরকার প্রতিষ্ঠিত হইয়াছে। দেশে শান্তি ও শৃঙ্খলা রক্ষার ভার কংগ্রেসের উপর পড়িয়াছে। অরাজকতার হাত হইতে দেশকে রক্ষা করিবার জন্য এবং দেশের অগ্রগতির জন্য এই বিলের একান্ত প্রয়োজন। বিপজ্জনক অবস্থার কথা চিন্তা করিয়া এই বিল আনয়ন করা হইয়াছে। সরকার বিশৃঙ্খলা ও অরাজকতা আদৌ পছন্দ করেন না। বাহারা বিশৃঙ্খলা ও অরাজকতা ঘটাতে চেষ্টা করিবে জনমিরাপত্তার জন্য কংগ্রেস দৃঢ়হস্তে তাহা-দিগকে দমন করিবেন। হিংসার পথে সরকারকে উচ্ছেদ করিতে চাহিলে উচ্চশ্রুতাকারী অবশ্যই এই আইনের আমলে আসিবে। অনেক সভাদেশে নর-হত্যা, অগ্নিসংযোগ প্রভৃতি গুরুতর কার্যকলাপের জন্য বিশেষ আদালতে বিচারের ব্যবস্থা আছে। আরও উল্লেখযোগ্য যে বিশেষ আদালতে আসামীর বিচার দ্রুত সম্পন্ন হইলে আসামীর ব্যাধিকার ও দীর্ঘকাল মামলা পরিচালনা ফলে মনঃকষ্ট হইবে না এবং দৃষ্টিভঙ্গি হইতেও রেহাই পাইবে। উক্ত বিলের দ্বারা ব্যক্তি-স্বাধীনতা ও গণ-আন্দোলনের অধিকারকে বিনষ্ট করিবার উচ্চা সরকারের আদৌ নাই। জুরীর বিচারের অসুবিধা আছে। উহাতে দীর্ঘ সময় লাগে। বিচার চলিতে থাকা কালীন জুরীদের মধ্যে কেহ অনুপস্থিত থাকিলে বিচার বন্ধ বাধ্যতে হয়, এবং কদাচিৎ মৃত্যু হইলে নতুন কবিতা জুরী নিযুক্ত করিতে হয় এবং মামলা পুনরায় গোড়া হইতে চালিত হয়। বর্তমান বিলে আপীলের অধিকার হওয়ায় অভিযুক্তের অধিকার বন্ধা করা হইয়াছে। কোন কোন অপরাধের ক্ষেত্রে জুরীর পক্ষপাতিত্বের আশংকা থাকে। কাজেই নিবাপক্ষ বিচারপতি কর্তৃক মামলার বিচার হওয়া দরকার।

বাজেব বিবৃদ্ধি যথোদ্যম, কোন উপদ্রুত অণ্ডল অথবা কারখানা মিল বা ব্যাংক প্রভৃতি স্থানে আক্রমণ অথবা হাঙ্গামা করা, নবহত্যা, অগ্নিসংযোগ প্রভৃতি গুরুত্বপূর্ণ অপরাধসমূহের দ্রুত বিচারের জন্য স্পেশ্যাল টাইবিউন্যাল গঠন ক্ষমতা লাভেব উদ্দেশ্যে বাজের সরকার এই বিল উত্থাপন করিয়া দেশে শান্তি ও শৃঙ্খলা রক্ষার নিমিত্ত এই আইন পালের প্রয়োজন। যাহা হিংসাত্মক গ্রহণ করিবে, অগ্নিসংযোগ, লুণ্ঠ-তবাজ, হাঙ্গামা প্রভৃতি অশান্তি সৃষ্টি করিবে সরকার তাহাদের বিরুদ্ধে কঠোর ব্যবস্থা অবলম্বন করিবেন। সরকার সদ্দেশ্যে লইয়া এই বিল উত্থাপন করিয়াছেন। ইহার বিরোধিতা করিবার কোন কারণ থাকিতে পারে না।

[3-45—3-50 p.m.]

Sj, Tarakdas Bandopadhyaya:

সভাপতি মহাশয়! আজকে এই যে বিল আমাদের সামনে মাননীয় মন্ত্রী মহাশয় উপস্থাপিত করেছেন এই বিলের সমর্থন কোরে ২।১টা কথা বলব। আজ আমাদের দেশ অল্পদিন স্বাধীন হয়েছে। এই স্বাধীনতা যদি বন্ধা করতে হয় এবং এই রাষ্ট্রের নিরাপত্তা যদি আমাদের কামা হয় তাহলে এই বিলের বিশেষ প্রয়োজন আছে। বিশেষতঃ আমি একজন সীমাস্ত স্থানে বাস করি। সেখানকার যা অবস্থা তাতে আমি মনে করি যে যদি সত্যি এরাস্টের নিবাপক্ষ আমাদের বাছনীর হয়, তাহলে এইরকম বিলের বিশেষ প্রয়োজন আছে। অল্প দিনের মধ্যে সীমাস্তে বেশব ঘটনা হচ্ছে তার ২।১টা কথা বলব।

সেখানে যেভাবে হত্যা, লুণ্ঠন, ডাকাতি ইত্যাদি চলছে তাতে যদি তার প্রতীকার করতে হয় তবে এইরকম বিল ছাড়া তা সম্ভব নয়। আজ এই ও বছরের মধ্যে সীমাস্তের যা অবস্থা হয়েছে আমি নদীয়া জেলায় কথাই বলছি—আজ সীমাস্ত অঞ্চলের অবস্থা যদি আপনারা একটু জানবার চেষ্টা করেন তাহলে বুঝবেন যে এইরকম বিলের বিশেষ প্রয়োজন আছে। সেখানে শান্তি এখনও বিরাজ করছে না। সেখানে অরাজকতা, হত্যা, লুণ্ঠন দিনের পর দিন চলছে। এই সমস্ত কার্যের সঙ্গে যারা বিদেশী রাষ্ট্র আনতে চান তারা লিপ্ত আছেন। যদি এই সমস্ত দমন করতে হয়, এবং শান্তি ও শৃঙ্খলা আমাদের কামা হয়, নিবাপক্ষ যদি আমাদের কামা হয় তাহলে “সিপডী হাউস” দরকার এবং এইরকম আইনের বিশেষ দরকার। আজ দয়া কোরে যদি এ সভার সীমাস্ত অঞ্চল পরিদর্শন করেন তাহলে তারা অবস্থাটা উপলব্ধি করতে পারবেন। তারা এখানে বসে এরকম কথা বলতে পারেন, কিন্তু আমরা ভুক্তভোগী। সেইজন্য আমি বিশেষ কোরে এই বিল সমর্থন করছি। দিনের পর দিন এমন হচ্ছে যে একটা মাস যায় না যে মাসে হত্যা হচ্ছে না, বিদেশী রাষ্ট্র থেকে লোক এনে হত্যা করা হচ্ছে। এখানে বিদেশী এজেন্টরা এসে এদেশে রয়েছে এবং অবজকতা সৃষ্টি করতে আবার এখানে বিদেশী শাসন কয়েম করবার জন্য চেষ্টা করছে। সেইজন্য এই বিলের বিশেষ প্রয়োজন আছে। আমাদের এই শিশু-বাস্তব, এই রাষ্ট্রের যদি উন্নতি করতে হয় এবং একে দৃঢ় করতে হয় তাহলে প্রথম থেকে অরাজকতার হাত থেকে দেশকে রক্ষা করতে হবে। আগ ২।১টা কথা আপনার সামনে আমি বলব। খাদ্য আন্দোলন নিয়ে পলিটিক্যাল পার্টির অবজকতা সৃষ্টি করে তাব সামান্য একটা উদাহরণ দিচ্ছি। আমাদের জেলায় খাদ্য আন্দোলন নিয়ে কিছু গণ্ডগোল ছিল না। সেদিন ছেলেরা এবং জনসাধারণ প্রসেসন কোরে দাবী জানিয়েছে এবং “এস্.ডি.ও.র কোর্ট” এবং হাকিমদের কোর্টের ভিতর ঢুকে টোবিল ভেঙেগেছে। এই উদ্ভ্রম করার জন্য তাদের কেবল সাহায্য কোরে দিয়েছেন। তাদের উদ্দেশ্য ছিল না গোলামাল সৃষ্টি করার। তারা “প্রসেসন” কোরে ম্যাজিস্ট্রেটের বাড়ীর সামনে আসে। তাদের মধ্যে কয়েকজন ম্যাজিস্ট্রেটের সঙ্গে আলোচনা করে। তাবপরে ম্যাজিস্ট্রেটের কাছে তাদের দাবী পেশ করবার জন্য অনুরোধ জানান থেকে ম্যাজিস্ট্রেটও সম্মত হন। কিন্তু তার ভিতর থেকে পলিটিক্যাল পার্টির এজেন্টরা—এমনই চেষ্টা করতে লাগল যে সেখানে গণ্ডগোল হাঙ্গামার সৃষ্টি হয়ে ৩০ জন লোক জখম হন “ইনস্ট্রুজি সুপারিনটেন্ডেন্ট অফ পুলিশ” এবং সেখানে বাধা হলেন ১৪৪ ধারা জারী করতে। আমি সেখানে উপস্থিত ছিলাম। এইরকম ভাবের পলিটিক্যাল পার্টির অভাব নাই। শৃঙ্খল জনতা তাদের দাবী জানান, ম্যাজিস্ট্রেট সাহেবও তাদের কথা শুনলেন এবং তাদের প্রতিশ্রুতি দিলেন যে সে সম্বন্ধে উপরে জানান। ঠিক সেই-সময় যখন তারা শান্তভাবে চলে যাচ্ছে, কোন উচ্চশ্রুত দেখাচ্ছে না, তখন কোন কোন এজেন্ট এমনভাবে কাজ করলে যে সেখানে লাঠিচার্জ করতে গভর্নমেন্টের তরফ থেকে বাধা হলেন।

(Voice: Agent provocateur.)

এই যে অবস্থা, এবং এই যে সামান্য ঘটনা আপনার বক্তব্য—যেখানে কোন উচ্চশ্রুত হবার সম্ভাবনা ছিল না। “সিপডী প্রসেসন” চলছে,

[Sj. Tarakdas Bandopadhyaya.]

তারা দাবী জানাচ্ছে, সেখানে কিরকমভাবে সামান্য ব্যাপার থেকে সেইসমস্ত জিনিষটাকে অন্য দিকে “টান্ড” কোরে দিয়েছে পলিটিক্যাল পার্টিরা।

এই যে অবস্থা চলেছে এবং বিশেষভাবে আমাদের জেলার সীমান্ত অঞ্চলে—তার সম্বন্ধে সামান্য ২।১০টী কথা বলছি। গরু আমাদের জেলায় শেষ হয়েছে, পাকিস্তানে চলে গিয়েছে। আজকে বিদেশীরা আসায় আমাদের দেশে কিরকম লুণ্ঠন, ডাকাতি, খুন হচ্ছে তা যদি দয়া কোরে দেখতেন তাহলে এরকম সমালোচনা করতেন না।

Sj. Debendra Nath Sen:

সব শেষ হয় নি, আছে কিছু।

Sj. Tarakdas Bandopadhyaya:

এইরকম হচ্ছে। প্রয়োজন হলে অনেক কিছু জানাতে পারি। বর্তমানে দেশের বেরকম পরিস্থিতি, এবং নানা রকম এক্সেস্ট্রা যেভাবে অরাজকতার সৃষ্টি করছে তারজন্য এই বিলের বিশেষ প্রয়োজন। আমি এই বিলকে সমর্থন করি।

Sj. Debendra Nath Sen:

আপনার নিমন্ত্রণ গ্রহণ করলাম।

[3-50—3-55 p.m.]

Sj. Kamini Kumar Ghosh: Mr. Chairman, Sir. In supporting the Bill I would like to say a few words. It has been contended by my honourable friend Professor K. P. Chattopadhyay that trials are often unnecessarily delayed to the harassment and inconvenience of the person concerned. If so, it is to remedy this defect that arrangements for speedy trial are being made. Then, again, I am sure it would be admitted by all, particularly by my friends on the opposite side, that the primary duty of the Government is to see that peace and order are preserved in the country, and naturally when there is disturbance in any area Government must come forward to see that peaceful citizens are not affected. Our country has been independent, as one of my friends has said, very recently and it is the desire of Government to see that law and order are maintained properly. As one of our friends on the opposite side said, ours is a baby Government—yes, it is so—and therefore Government should preserve law and order by a strong hand, otherwise the safety of the people will be at stake—particularly by the goonda elements and sometimes by some interested political parties.

I say political parties intentionally because I have seen there were some incidents recently where peace in some particular place was disturbed because of interested person—because of interested people there was trouble—they tried to discredit the Government.

For all these reasons the Bill should be passed first of all to help my friends on the opposite side by speedy trial of the offences so that the persons concerned may not be kept as untried prisoners for a long time and, secondly, to preserve peace and tranquillity in the country.

[3-55—4-0 p.m.]

Sj. Sudhirendra Nath Majumdar:

মাননীয় সভাপতিমহাশয়। “ট্রাইব্যুনাল অফ ক্রিমিন্যাল জুরিশডিক্শন” বিলের এই আলোচনার সময় আমি বিলের সমর্থন কিছু আলোচনা করব।

বিলটা আনা হয়েছে এবং তা যে কাণে দেখান হয়েছে—

In the interest of the security of the State, the maintenance of public peace and tranquillity and the due safeguarding of industry and business, to provide for the speedy trial of the offences specified in the schedule (Sj. DEBENDRA NATH SEN: Yours is industry-business.)

এই বিলের আলোচনার সময় বিরোধী পক্ষ থেকে অনেক আলোচনা করা হয়েছে এবং গভর্নমেন্ট পক্ষ থেকে যে বক্তৃতা করা হচ্ছে তাতেও এই বিধানের পক্ষে যুক্তি দেওয়া হচ্ছে। এই বিলটা যে কারণে আনা হয়েছে তাতে কোন পক্ষেই কোন আপত্তির কারণ থাকতে পারে বলে আমার মনে হয় না। বিলে একটা কারণ দেখান হয়েছে রাষ্ট্রের নিরাপত্তা, জনসাধারণের নিরাপত্তা। কাজেই যেসমস্ত আইন প্রণয়ন করা হবে তাতে রাষ্ট্রের কোন অধিবাসীর কোন আপত্তি করার কারণ থাকতে পারে না।

(Sj. DEBENDRA NATH SEN.)

কান নিয়ে গেল চিলে—এই অবস্থা।

একটা আপত্তি নেওয়া হয়েছে যে “স্পীড ট্রায়াল” বলে। ট্রাইব্যুনাল কেন “ফরমড” হবে? যদিও অজিজ্ঞতা আছে, আদালতের খবর যারা জানেন, সেসন ট্রায়াল যারা করেন তারা জানেন এটা বহু সময় সাপেক্ষ। প্রথমে ম্যাজিস্ট্রেটের তদন্ত হবে, তারপরে “সেসন কোর্ট”, তারপরে জুরীর বিচার। যদি কোন দিন জুরীদের কেহ অনুপস্থিত থাকেন তাহলে বিচার বন্ধ থাকবে। এইরকম নানা কারণ আছে যাতে বিচার দেরী হয়। আজ গভর্নমেন্ট তরফ থেকে বলা হয়েছে যে বহুদিন যাবৎ হাজতে রাখা হয় এবং আসামীদের বিচার করা হয় না। যদি একথা মেনে নিতে হয় যে হ্যাঁ, বিলম্ব হয় এবং গভর্নমেন্ট পক্ষ থেকে একথা বলা হয় তাহলে এই

বিল জানার প্রয়োজনীয়তা আছে। যারা হাজতে রেখে দেন তারা “অর্ডিনারী ম্যাজিস্ট্রেট এন্ড জজেস”। কাজেই ট্রাইব্যুনালের কাছে বিচার হলে তাড়াতাড়ি বিচার হবে।

তাছাড়া রাষ্ট্রের নিরাপত্তা রক্ষার জন্য এবং জনসাধারণের নিরাপত্তা রক্ষার জন্য এই বিলের প্রয়োজন আছে। যেসব ছোট ছোট ব্যাংক “রেড” হচ্ছে, যেসব ইন্ডাস্ট্রি ও বিজনেস প্রেস ও রাস্তায় রেড হচ্ছে—এসমস্ত বিরোধী পক্ষ নিশ্চয়ই সমর্থন করবেন না। অনেক ছোট ছোট ব্যাংক যেগুলো অনেক চেম্বার ও পরিশ্রমে—হয়ত বিশ বছরে গড়ে উঠেছে, যেখানে সাধারণের এক’শ, দু’শ পচ’শ টাকা কোরে সংগৃহীত আছে সেই সমস্ত টাকাদুলা যদি লুট কোরে নেওয়া হয় রাজনৈতিক কার্যের অজুহাতে, সেটা স্বাধীন রাষ্ট্রের পক্ষে গৌরবের বিষয় নয় এবং তাদের বিচার করার জন্য যদি কোন আইন প্রণয়ন করা হয় তাতে বাধা দেওয়া গৌরবের বিষয় বোলে মনে হয় না। যেখানে হাইকোর্ট বা ডিষ্ট্রিক্ট জজ বা এডিশন্যাল ডিষ্ট্রিক্ট জজের মত লোকের নির্যোগ দরকার এবং তারা যদি বিচার করেন তবে বিরুদ্ধে বলবার কিছু দেখি না। পুলিশের যদি অপরাধ থাকে যিনি রাষ্ট্র পরিচালনা করবেন তাই কর্তব্য হবে পুলিশকে শাসন করা। তাবজনা কোন আইন প্রণয়ন না হবার কারণ থাকতে পারে না। সে অজুহাত চলতে পারে না। এমন অনেক সময় আসে যখন রাজনৈতিক আন্দোলনের অন্তরালে অনেক সময় বিদেশী রাষ্ট্রের অনুপ্রবেশায় অনেক কিছু কাজ করা হয়—যেটা হয়ত রাষ্ট্রের পক্ষে শূন্যজনক নয়। আমি আপনাদের একটা দৃষ্টান্ত দিই। বছর দুই আগে আলিপুত্রদমন বেড্ কেস হয়; আপনারা সকলেই কাগজে পড়েছেন এবং শুনছেন এবং সেই কতিপয় ভাগ্যবান ব্যক্তির মধ্যে আমি একজন। এই তথাকথিত দেশহিতৈষীদের কাছে বন্দী হয়েছিলাম। আমি তখন এবং এখনও বসিরহাট মিউনিসিপালিটির চেয়ারম্যান। আমি মাননীয় বন্ধু শ্রী শরৎ চন্দ্র সাই—এব পিতার বার্ষিক স্মৃতি সভায় যোগদান করতে বসিরহাটের “এস্.ডি.ও” এবং বালিকাবিদ্যালয়ের প্রধান শিক্ষয়িত্রী—

Mr. Chairman: That case is *sub-judice*. You should not refer to that.

Sj. Sudhiredra Nath Majumdar: No Sir, I am not referring to that case but I am simply stating a fact.

Mr. Chairman: You better not mention that.

Sj. Sudhiredra Nath Majumdar:

সেই যে দমন বসিরহাটে যেটা হয়েছিল সেই রেড্ সম্বন্ধে যে মোকদ্দমা চলছে আপনারা সকলেই জানেন। সেই মোকদ্দমা ট্রাইবিউনালের বিচার শেষ হবার পর হাইকোর্ট থেকে পুনরায় বিচারের জন্য এসেছে। আজকে যদি সেটা জুরির বিচার করতে হয় তাহলে আবার ম্যাজিস্ট্রেটের কাছে পাঠাতে হবে। সেখানে এক বছর যাবে, আবার জজের কাছে আসবে, সেখানেও এক বছর হবে; কিন্তু ট্রাইবিউনালে বিচার হলে তাড়াতাড়ি হতে পারে।

ট্রাইবিউনালের বে জজ তাঁর “কোয়ালিফিকেশন” দেওয়া হয়েছে—সাধারণ ম্যাজিস্ট্রেট এবং জজের চেয়ে বেশী অভিজ্ঞ হবেন। এসম্বন্ধে আশান্তি করার কোন কারণ থাকতে পারে না।

Sj. Annada Prosad Choudhuri:

বিচার হবে—না, একজনের জায়গার আর একজন।

Sj. Sudhiredra Nath Majumdar:

একজনের জায়গার আর এরজন ঠিক, কিন্তু “এক্সপিরিয়েন্সড” অভিজ্ঞ জজ যদি বিচার করেন আশান্তির কারণ থাকতে পারে না। এই বিলে সেইটার বিষয়ে দেওয়া হয়েছে। কাজেই এই দিক থেকে বিচার করলে বিলের প্রয়োজনীয়তা আছে দেখা যায় এবং ছোট ছোট “ইনডাস্ট্রিয়াল কনসার্ন” এবং ব্যাংকগুলিকে বিচারের জন্য প্রয়োজন। বিশেষ কোরে তারকবাবু যে কথা বলেছেন সীমাস্ত অঞ্চলে এইরকম বিল না থাকলে সেখানে বাস করা অসম্ভব। সীমাস্ত অঞ্চলের অধিবাসীদের দিবারাত্র ভয়ে ভয়ে থাকতে হয়। এমন কি কলিকাতায় পরশু দিন নেতৃস্থানীয় ব্যক্তিগণ বল্লেন যে হরতালের কোন কারণ নাই, খাদ্যনিতি রাজনীতিব সগো একসঙ্গে করা হবে না, তথাপি আমরা পরশু দিন আদালতে যেতে পারি নি। আমরা ৭।৮ জন রাজনৈতিক আন্দোলনকারীদের দ্বারা বারলাইটেরীতে আবদ্ধ হয়েছিলাম এবং হাকিমেরাও আবদ্ধ ছিলেন। এই সমস্ত কারণে এই বিলের প্রয়োজন।

কাজেই দেখা যাক্ অপর পক্ষ যেসমস্ত আশান্তি করেন সেগুলি আশান্তি করা প্রয়োজন—যেহেতু তারা বিরোধী পক্ষে আছেন—এ ভিন্ন আর কারণ দেখাতে পাই না। তারাও চান রাষ্ট্রের নিরাপত্তা, তারাও চান জনসাধারণের নিরাপত্তা, তাবো চান যে আমাদের দেশে শিল্প গড়ে উঠুক, তারাও চান যে ব্যাংকগুলি ভালভাবে চলে, সেগুলো লুটপাট হয়ে নষ্ট হউক—এ কারও ইচ্ছা না। কাজেই সকল দিক থেকে দেখতে গেলে এই বিলের বিশেষ প্রয়োজন আছে এবং এটা পাশ হওয়া দরকার।

[4-0—4-5 p.m.]

Mr. Chairman: As there are several more members to speak I would request honourable members to speak briefly and to the point and as far as possible not to repeat the same arguments.

Sj. Mohitosh Rai Choudhuri:

Sir, I rise to speak on the Bill with a good deal of diffidence because I am in the unfortunate position of a man who cannot wholeheartedly support either point of view which has been taken with regard to this Bill. I know there is a good deal of excitement over the Bill and I know my friends on this side like many others in the country have been greatly excited over the Bill. Ever since this Bill was placed on the legislative anvil in the Lower

[Sj. Mohitosh Rai Choudhuri.]

House I have been watching carefully its progress. I have thought over the matter deeply and have consulted some of the biggest lawyers in the country as regards the merits of the Bill. From what I have been told by them and what I have been able to gather from my own impartial study of the Bill I can neither wholeheartedly support it nor wholeheartedly oppose it. (A voice: So you are sitting on the fence.) Yes, you may say that I am sitting on the fence but you see that is the disadvantage sometimes of men who like onlookers see more of the game than the players.

[4-5—4-10 p.m.]

Not being a member of any political party, not being actively connected with politics, but being a humble teacher who always tries to see the other person's point of view I confess I cannot wholeheartedly support or oppose the Bill. There are three features in the Bill. Of course there are many who attribute political motives to the framers of the Bill. I know it has been said by many that the Bill has been brought forward in order to crush political opposition. I do not know that, and I have no right to look into the motives of men. Therefore, I will try to take the Bill as it is. I will accept what has been said in the Preamble of the Bill. I will say that the Bill has been brought forward not to crush the opposition or any one whose view does not tally with the views of the authorities. I take it that the Bill has been brought forward with a *bona fide* motive to bring about speedy trials in the interest of justice. I will therefore look at the Bill from that point of view, from that angle. Will this Bill as it has been framed be conducive to the fulfilment of the object as mentioned in the Preamble of the Bill? Speedy trial sometimes no doubt is attended with injustice. Before examining the Bill I will see whether in order to have a speedy trial, in order to shorten and simplify the procedure of trial there has been any risk of doing injustice, or in

other words, are the requirements fair and impartial trial jeopardised by the provisions of the Bill. There are three features of the Bill. When I compare the Bill with the Ordinance I find that the scope of the Bill has been greatly widened. This point of view, I am afraid, has been missed by the majority of the speakers in the Lower House.

Mr. Chairman: Please do not refer to the Lower House like that.

Sj. Mohitosh Rai Choudhuri

Sir, I bow down to your decision. There are men in the country who think that the object of the Bill is to try offences which are committed in the disturbed area. When I look at the schedule of offences I find there are three different categories of offences which will be tried according to the new procedure of trial. First, offences against the State, whenever committed, will always be tried not according to the ordinary procedure but according to the new procedure which has been laid down in the Bill. You will find among the amendments that myself and my honourable friend Mr. Annada Prosad Choudhuri and the two persons who have proposed that Schedule No. 1 be omitted. The scope of the Bill has been made considerably wider than was the case with the Ordinance.

[4-10—4-15 p.m.]

Another feature of the Bill is that the whole procedure has been replaced by a shorter and simplified procedure. The trial by jury has been abolished. There are men in the country who think that jury trial is the very best. In a democratic country trial by jury is very much valued. Those of us who have read history will know what amount of trouble the English people have had to go through in order to secure the right of trial by jury. I also know that there are men who are not enamoured of jury trial. Personally speaking even since I passed out of the schools I had occasion to see many jurors in my district. I feel ashamed to confess that there were many jurors in one small district who were absolutely dishonest. I found such

men in my own village. When I became a professor I had occasion to act as a special juror in the High Court. Being a soft-minded professor I found it difficult to make up my mind in cases which are punishable with death. I could only give the verdict of doubt. I confess my inability to have come to a decision. I might have been very weak. But I have been told by my friends that they felt likewise. We were undecided and unable to make up our mind as to whether to deliver a verdict of guilty because in that case a man would forfeit his life. I have many friends who sat as jurors in gang cases and they have confessed that they were not able to follow the procedure. I am not therefore enamoured of, though I know there is a feeling about the privileges of, jury system. This jury trial has been dispensed with but a shortened procedure has been adopted in the Bill. But that does not necessarily follow that the procedure which is laid down in the Bill will end in miscarriage of justice. As I was reading the judgment of that famous case—the State of West Bengal *versus* Anwar Ali Sirkar—Sir, some of my friends there are laughing because a Professor is speaking on law, but, Sir, let me say that I stood first in the Preliminary Law examination. I never practised because I do not believe in courts. Here Patanjali J says, “It cannot be said that the special procedure provided in the Act is on its face calculated to prejudice the fair trial of persons subjected to it. The departure in each case is plainly calculated only to shorten the trial and thus to attain the declared objective of the statute.” Necessarily it does not follow that abolition of jury trial will end in miscarriage of justice.

Another feature of the Bill is that Judges will be appointed by the Government. Here also there is a good deal of controversy. It has been said that Judges should not be appointed by the Government. I have thought over the matter carefully. I think that when Judges are appointed by Government there cannot be any reasonable opposition

to the appointment of the members of the Tribunal also by the Government. But I think at the same time the Government ought to consult the Chief Justice before appointing the Judges or the members of the proposed Tribunal.

[4-15—4-20 p.m.]

Sir, I do not know whether this is laid down in the Constitution. If the appointment of the judge is made in consultation with the Chief Justice it is all right.

Then there are offences against the State—

Mr. Chairman: Mr. Rai Choudhuri, you reserve all these things for your subsequent speeches on the Bill.

Sr. Mohitosh Rai Choudhuri: All right, Sir, I do not support the circulation motion of the Bill but I will oppose the Bill if I find that the Bill is against the interests of the people, and if I find that our amendments are not at all accepted.

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, from the controversial points raised in the country, from the number of amendments that have been proposed, it is very very clear that this Bill is a very controversial measure. My objection to the Bill is for four reasons: firstly there are many vague provisions whose intentions are not very clear. Secondly, there is a chance of discrimination which offends Article 14 of the Constitution and about which many things have been said. Next, this Bill seeks to do away with jury trial in India for which the Indians fought for a long time. There are specified cases in which the vindictiveness of the State Government are manifest.

Sir, about the vagueness of the provision, I may refer to clause 2 where the definition of the word “disturbed” area is given. The definition is very very vague and indefinite, namely, to mean an area where there is extensive disturbance of public peace and tranquillity. The Hon’ble Minister piloting the Bill has in his unsatiable cravings for special laws unreasonably

[Dr. Monindra Mohan Chakrabarty.]

stretched the expression "disturbed area". He has tried to bring within the ambit of this Bill every area whether they are disturbed now or they were disturbed in the past. It would have been better if he put "may be" also to "there was" and "there is", to include every inch of the ground. There has been a good deal of difference of opinion about the word "disturbed" area. I think this feature of the Bill is not good.

Now, about the inequality before law, discrimination and doing away with jury trial, I should say something. Just a few minutes ago Sj. Mohitosh Rai Choudhuri spoke about the trial by jury but he confused the House. Sir, the Indians had to fight for this right of trial by jury. This fight is associated with organised party activities and previously the jury system was in vogue in respect of the Europeans only and the Congress had to fight to achieve this trial by jury. The then British Government played no mean part to see that the trial by jury was wrested from the Indians.

[4-20—4-25 p.m.]

The Westminster Review of April, 1872, in commenting on public agitation in India for Jury trial wrote:—"We are told that in India, where juries are composed of five members, a proverb asserts that "where the five are, there is God! but, it is no doubt a frequent opinion that where the twelve are, there is good sense, integrity, patience and impartiality".

Apart from our ancient system of Panchayats, the jury trial in India is as old as Regulation X of 1827 by which the system was formally introduced in the Madras Presidency. It is interesting to contrast the attitude of the House of Commons to the popular demand for jury trial in Bengal with the callous, irresponsible and irresponsible attitude of the present State Legislature. In 1832, in response to an influentially signed petition, the House of Commons sanctioned

jury trial in Bengal which the present State Government now want to take away. A similar attempt to curtail the right of trial by jury had in 1892 met with very stiff resistance which obliged the British Parliament to give up such an attempt. Perhaps, an alien autocrat had more regard for organised public opinion than the autocrats of indigenous brand. Speaking in those days the late Lal Mohan Ghosh of revered memory said, "Wherever the institution prevails it is cherished by the people, for it is not an engine for securing conviction but is a valuable safeguard of the liberty of the subject and a protection against false charges and unjust convictions". Then again, Sir, there is the Congress commitment on the question of jury trial. I may refer the Hon'ble Minister and others who swear by the name of the Congress that in 1895 the Indian National Congress at its Poona Session and in 1896 again in the Calcutta Session adopted resolutions demanding "the boon of trial by jury. (Dr. NARENDRAKATHI BAGCHI: Think of the evolution since then). It may be said that those resolutions were adopted in 1895-96 and not thereafter but it was not so adopted in recent times because the system was accepted as settled and required no further agitation. Nobody would be so foolish as to suggest that since a social reformer of today has nothing to say on the system of "Suttee" he does not hate the system; his silence only means that the evil has not to be fought today.

We have further been told that under the Code of Criminal Procedure the State Government has the power to abolish jury trial. True that the power is there and why should not the State Government be content with such powers and exercise them when they must. Why does the State Government want to gain its objective under the garb of a newly enacted statute? What is the ulterior motive behind such a move? About the motive I may give one or two definite instances. The ulterior motive may be guessed when we bear in mind

that section 269 of the Code of Criminal Procedure gives the State Government the power to stop trial by jury district-wise and not piecemeal by creating artificially, "disturbed areas" within a district. Under the Code the State Government has not the power to discriminate between an area and an area within a district and it is this power to discriminate which the State Government is keen on gaining by rushing through this Bill. The Government had put the accused in the Jessop Factory's case before a special Judge for trial under the West Bengal Special Courts Act of 1950. The Special Judge had sentenced some of them to transportation for life. Not being satisfied with this sentence, the State Government moved the Hon'ble High Court for capital sentence when on behalf of Anwar Ali Sarkar the Special Courts Act was challenged on the ground of discrimination as contravening Article 14 of the Constitution. The High Court and the Supreme Court knew that the power to discriminate given to the State Government under the Act contravened Article 14 of the Constitution inasmuch as the State Government could have some men tried by jury and others tried by Special Court even though all of them were guilty. Now being baffled by the judgment of the High Court the State Government has grown more vindictive, and the result is the Tribunal of Criminal Jurisdiction Bill.

[4-25—4-30 p.m.]

The State Government's reaction to the judgment of the High Court can be judged from certain facts. The judgment of the High Court was delivered on 28th August, 1951. By that judgment convictions and sentences were quashed and the accused persons were ordered to be retained in custody as undertrial prisoners. I may tell the Hon'ble Minister that despite this order for nearly a month and a half the accused persons were made to serve their term. I challenge the Hon'ble Minister to contradict me on this point. Then again, after the High Court judgment, the State of West

Bengal appealed to the Supreme Court. But did the State Government stay its hands off till the appeal was disposed of by the Supreme Court as it ought to have done if it were not vindictive? No, the appeal came up for hearing in the middle of November, 1951, and the judgment was delivered on the 11th January, 1952. But strangely enough long before the hearing of the appeal on the 8th September, 1951, the State Government issued Notification No. 5296J, sanctioning fresh prosecution of the accused persons under the same Special Courts Act, 1950, and on September 20, 1951, proceedings were actually started against them before a Special Judge till on the application of Anwar Ali Sarkar the High Court intervened and ordered the stay of all proceedings. Then came the Tribunal of Special Courts Ordinance which is the precursor of the present Bill. Can there be any shadow of doubt that the State Government in dealing with this matter is actuated by an attitude of mind which can only be described as vindictive?

This unhealthy reaction of the State Government makes me feel that in their zeal to have their own way they have lost all regard for public opinion, the Supreme Judiciary and the Constitution. I shall read a passage from the Judgment of Hon'ble Mr. Justice Vivian Bose delivered in Anwar Ali's case. That is very well known, still I think I ought to read a portion of it. Referring to the Fundamental Rights chapter in the Constitution he says:—

"I find it impossible to read these portions of the Constitution without regard to the background out of which they arose. I cannot blot out their history and omit from consideration the brooding spirit of the times. They are not just dull, lifeless words static and hide-bound as in some mummified manuscript, but living flames intended to give life to a great nation and order its being, tongues of dynamic

[Dr. Monindra Mohan Chakrabarty.]

fire, potent to mould the future as well as guide the present. The Constitution must, in my judgment, be left elastic enough to meet from time to time the altering conditions of a changing world with its shifting emphasis and differing needs."

And he ends like this:—

"Without casting the slightest reflection on the judges and the Courts so constituted, the fact remains that when these tribunals were declared invalid and the same persons were retried in the ordinary Courts, many were acquitted, many who had been sentenced to death were absolved. That was not the fault of the judges but of the imperfect tools with which they were compelled to work. The whole proceedings were repugnant to the peoples of this land and, to my mind, Article 14 is but a reflex of this mood."

The provisions of the Bill offend Article 14 about which Mr. Justice Bose has so brilliantly stated.

Then I can refer the Hon'ble Minister to the vindictiveness practised by the police in dealing with trade union activities. I know in a case in Nowpara, Baranagore area, where the union authorities were not liked by the employers, the police came in and harassed the executives of the union and one by one arrested all of them and later on they were retrenched. This is even without the sanction of the Special Tribunal. All that I want to say is this that since this Bill has raised such a public criticism, since objections have been raised to most of the provisions of the Bill, it is only proper that the State Government, which claims to be a popular one, should give some more time to collect some more opinion on this Bill, so that we are in a better position to judge it.

Therefore, Sir, I move that the Bill be circulated for the purpose of eliciting opinion by the 1st December, 1952.

[4.30—4.35 p.m.]

8j. Devaprasad Chatterjea: Mr. Chairman, Sir, much has been said by my honourable friends on the Opposition side against the Bill which has been placed for consideration of this House. As one supporting the consideration of this Bill, I have to state that in the interest of public safety, tranquillity and peace it is urgently necessary that the Bill should be taken into consideration immediately. My learned friend Professor K. P. Chattopadhyay has spoken eloquently that the same Police mechanism and the same Police machinery which were in existence here, before the charge of the administration was taken over by our people, are still there today—the same Police with the same old mentality are there—and that is why this Bill should not be taken into consideration. On the other hand, I have to state that Professor K. P. Chattopadhyay must be working with a complex which is peculiarly antiquated, if not antediluvian. He cannot see the new light—the light of freedom which we are trying to see. His is the light of the caged bird who getting freedom flies into the sky but does not feel the glorious rays of the sun—the beautiful sun and the blue sky—thinks that there is just a net around him, and tries hard to find his way back into the cage. I do not know if Professor K. P. Chattopadhyay is moving from that angle of vision. I am one who does not belong to that school of thought. On the other hand, I ardently believe that our freedom is quite genuine but it is not at the same time the ideal freedom for which all men and women—honest citizens of the State—have striven hard everywhere in the world and would be very happy if they could get it. Had we that freedom it would have been a very happy state of affairs indeed. But for an infant State which has got freedom very recently, only about four or five years back, to think of that

state of affair would be only dreaming—it is possible for one living in a fool's paradise so to dream.

[4-35—4-40 p.m.]

Mr. Chattopadhyay blamed the policemen. I beg to differ from him. The police machinery is there but their masters have changed. Previously the police were under their British masters but now they are under our people, people whom we have placed to govern us. By virtue of the machinery of democracy they have been brought in the Legislature. The police mechanism is there. The Ministers are there by virtue of the machinery of democracy which is now in vogue in any part of the world. So police is mere police. We are asking them to work and they are working for the country. If the opposition talk in this strain, they should also press for not holding the sessions of the Legislature in the floor of this Assembly House which is also a legacy of the British and better hold meetings in the Maidan at the foot of the Ochterloney monument. The British Imperialists are no more here and we are ruling ourselves. (Sj. K. P. CHATTOPADHYAY: If you can arrange a meeting in the maidan we would go there and face them, but can you face them? Have you the courage to face a public meeting anywhere in Calcutta?) Sir, I do not know why they are obstructing me and cannot patiently hear me. When they gave vent to their feelings we did not obstruct or object to. But why they are now doing so. I do not understand their queer logic and psychology! I am at a loss to understand what they mean by this sort of action. After all, Sir, this Bill is meant to put a stop to the activities of the robbers and dacoits—whether they are political dacoits or ordinary dacoits. The political dacoits also indirectly are bringing ruin to the people by destroying their lives and property. Many innocent people are suffering for no fault of theirs. These dacoits are using their revolvers and stenguns ruthlessly in cold blood. We all know the harrowing tales of Kakdwip, Jessop factory, Dum Dum Basirhat case.

I do not wish to refer to them as they are *sub-judice*. Sir, the Hon'ble Minister has already explained why proper and speedier arrangements for the trial are necessary. The opposition thinks that whatever measure comes from the Government is bad, and go on shouting cheap stunts and slogans like "we are not yet free".

"এ আঙ্গামী ঝুটা হায়ার।"

[4-40—4-45 p.m.]

If they have been labouring under such an idea I do not know to what other State they might have been looking to. Otherwise, they, as any other living in the State, as any other interested in the State, should have welcomed this measure in the interest of safety and peace of their fellow-countrymen and brothers because their consideration should be the first consideration. Our State, as I have already told you, is an infant State and during these four years it has had to face many problems including the problems of food, clothing and housing and further the State has been burdened with the other serious problem of refugees and their rehabilitation which is engaging the attention and energy of all the leaders of the Nation. But if we indulge in hopeless criticism for the sake of criticism only it will lead us nowhere. If our friends in the Opposition instead of opposing this Bill really diverted their attention to constructive suggestions and constructive criticisms in a constitutional way I think the problems can be solved in a better and more profitable way. But by indulging in opposition and thereby marring the progress of the State and trying to thwart their welfare measures in the interests of the State, they would only be leading the country to destruction and ruin and posterity will never forgive these leaders of sham popular democracy and freedom.

Sj. Debendra Nath Sen: Mr. Chairman, Sir, before I deal with the subject-matter before us I would like to draw your attention to a very serious allegation that has been brought by our friend Mr. K. P. Chattopadhyay relating to

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the death of one Mihir Das in jail when forced feeding was going on. We would like to hear the Government's version of this incident and as the Home Minister is not here but the Leader of the House is here we would expect, Sir, that he would throw some light on this allegation and if it be a fact that he died because of forced feeding then an enquiry should be held into the matter and the officers found guilty should be duly punished.

Sir, I now come to the Bill. I certainly support the motion for circulation of the Bill. I was looking into the number of Bills that have been placed before this Council. They are altogether about 9 and if you go through them then you will see that two tendencies are revealed, two tendencies of a very serious nature are revealed in this Bill. One tendency is the concentration of power in the hands of certain persons.

[4-45—4-50 p.m.]

The second tendency is utilisation of that power, not for the benefit of the people or of the masses, but for the benefit of the rich or the capitalist class. Some days before we have passed the Salaries and Allowances Bill. What was that Bill for? The main object of that Bill was to purchase the Party members. Having done that aspect of the thing, this Bill has been brought here and what is its main object? Its main object is to repress the Opposition. The two together form a complete picture—by one you purchase the party members, by the other—

Sj. Chittaranjan Roy: Sir, I take objection to such terms. They are unparliamentary.

Sj. Debendra Nath Sen: Sir, is that unparliamentary?

Mr. Chairman: You are imputing motives. Please refrain from doing so.

Sj. Debendra Nath Sen: All right, Sir. By one Bill, you try to win over your party members in a very undesirable way through the wealth of money and through nepo-

tism, and by another, you want to repress the opposition, the popular forces. The object of these two is to see the predominance of capitalism in this province and to see that all the popular forces and all the progressive forces in the country go down. This is not, Sir, an isolated attempt in this province only. If you look at the world picture, Sir, you will find that since the Second World War there is going on a very persistent attempt throughout the world, particularly in the Anglo-American bloc, to see the revival of reactionary forces in that bloc. The defeat of Attlee is a symptom of that. The defeat of labour in Australia is a symptom of that. The defeat of labour in New Zealand is a symptom of that. Nobody knows what is going to happen in the elections in America. We find in the Anglo-American bloc there is a very serious attempt to see that everywhere the reactionary forces, the forces in favour of capital, in favour of the rich, come to power. Here also that game is going on, and it is going on very dextrously and very skilfully, and in all these Bills we find the imprint of capitalistic influence.

Sir, I will go into the matters one by one in detail. Sir, the Minister in charge of the Bill, as on other occasions, has not given us the reasons which justify the introduction of such a Bill at such a particular time. He attempted to give some reasons, but are they sufficient? He quoted some figures today, that in 1949 there were 11 cases, in 1950, 33 cases, in 1951, 18 cases and in 1952 up to June, 6 cases. For prevention of such crimes—if you call them crimes—this Bill is being brought in 1952. Is that a sufficient reason arising out of the figures supplied by him? In 1950 it was 33. In 1951 it has gone down by 50 per cent. In 1952 it has gone down by another 25 per cent., and the situation in West Bengal now is very calm and quiet, of which boastfully the Chief Minister once said that now we are out of the darkness—"When I was placed at the helm of this State, around me there was darkness, but now I am out of darkness."

[4-50—4-55 p.m.]

And everything has been brought under control. If that be so, then what is the necessity for bringing this Bill. The Minister also tried to secure support for this attempt in a very strange way, by drawing instances from history. I was reading the speech he delivered with regard to such a Bill elsewhere. There he said, "I beg to place facts which will show that the Bill such as is being introduced is absolutely essential. Why? Because from 1939 the Defence of India Act and another Central Act and Ordinances have been operating. Therefore, we must have in 1952 such a Bill. Under these Acts and Ordinances special courts under similar provisions had been established. Two Ordinances were promulgated, one in 1942 and another in 1943. Therefore, in 1952 I have got sufficient ground to bring in such a Bill." We are a bit ashamed that our Ministers should draw examples from the time when we were a dependant race and from the time when everyone of us felt very strongly the impact of such lawless laws. The impact can only be felt by the persons caught under those laws. Everybody in West Bengal will have to suffer if such lawless laws remain in our State. Throughout all this period if Bengal and her children are not able to keep pace with people of other countries it is because they have to suffer. Various complications have been made. My honourable friend knows how he felt under the British rule when going through the villages. He was finding that such laws were there. It might be that one is caught and one is not. Because there is such a statute and Act it affects the psychology—everybody suffers. Therefore, it has got to be opposed.

What does this Bill aim at? What is its purpose? Its purpose is to have speedy trials. Speedy trials in the interest of whom?

[4-55—5 p.m.]

Is it in the interest of the people of this State? Sir, if the State is

in any way in danger why not the Chief Minister tell us so? Let him have a secret session, let him place facts before us and we will dissolve all our parties, all our differences; we won't sit in the opposition; we will come forward to help. Let him tell us where is the danger from which our State is really suffering. We don't find any. One friend says that he comes from the border State. Certainly in a State like ours there must be some border trouble but where is the danger in that border State. There have been scuffles, riots in which Congressmen burnt Muslim houses, Congressmen under the direction of a friend here did those things. (A voice: Absolutely untrue). If they are untrue why not have an enquiry? We know these things to be true, Sir. So if there is a danger there, the danger is the creation of the other side. They were done by the official Congress through the Government or by the non-official Congress through the Nadia Congress Committee there. Sir, I would like to draw your attention to the Preamble just to show you the grotesqueness of the Bill. The preamble says, for the security of the State, for the maintenance of peace and tranquillity. This part is all right, Sir. Then why it should be safeguarding all industry and business, what does it mean, Sir? Now, Sir, under this Bill even businesses are to be safeguarded. Now if I place a demand, the industry and businessmen may say that I am going against the interests of the industry and business and they may take action against me, against those persons who place a demand before them, under the provisions of this law. The Minister-in-charge may say that that is not their intention. Your intention does not matter. When a Bill is passed into an Act you are not then the masters of the interpretation. That will be interpreted by the court, that will be interpreted by the people. And as the language now stands "safeguarding industry and business" is a very vague term. No Trade Union can function. If this Preamble is passed no trade union in West Bengal can function. And as I was

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trying to say at the beginning it militates against our constitution also and against our Article 19C.

[5-5-5 p.m.]

Sir, under 19C, it is one of the fundamental rights of the people to form association or union and this fundamental right is going to be by-passed by the Preamble. Sir, if there is a disorder in a particular labour area, industrial area, there are other rules by which maintenance of public peace and tranquillity can be restored. If there be a riot in a particular village there are ordinary laws by which this simple thing can be prevented. These rules are sufficient to protect the villagers. But the Government do not feel that these rules are sufficient. They want more. They want to show extraordinary favour to the industry and business by protecting them not from any disorder or riot but from the legitimate trade union movement which right has been given to the employees by our Constitution. If the Preamble stands as it is there will be serious trouble to the trade union movement.

There is another point. Our Constitution provides that under certain circumstances the Government might make special laws and the language there is very clear. It is security of the state, friendly relations with foreign states. Nowhere in the Constitution a special power has been given, freedom has been given, to frame such a special legislation as has been sought to be given under this preamble—a thing which is against the Constitution. All sense of decency and decorum has been endangered. The key-points in the Bill are: an introduction of a new conception of disturbed area. If there are disturbed areas in a certain place it will come under this Bill. If there is not at present any disturbance but in the past that area was considered to be disturbed, then also it will come under this Bill. But there is no criterion to find out what is a disturbed area. You are leaving

everything to the hands of the Government. The Government will employ military force to stop the riot. Sir, we do not understand what is the meaning of extensive disturbed area. The Hon'ble Minister has referred to the incidents at the Jessop factory etc., but we did not support those incidents.

[5-5-5-10 p.m.]

We did not support any gangster methods. We did not support loot or arson. Nobody on this side supports it. But we say that the Jessop incident was a single incident. Has an incident of that nature ever occurred twice in West Bengal? I am asking, has it ever occurred twice? Have such happenings been frequent? And if they are not frequent, then on the plea of an incident which took place about three or four years ago and which has never been repeated, you force such a Bill on us. Certainly we do not support this loot or arson. Take the case of banks. How much money the banks have suffered through lootings and how much money they have suffered through defalcation by the managers and proprietors? How much money the share-holders have suffered through defalcations in banks? It is a scandal in West Bengal that some bank or other every day goes into liquidation, not through robberies but through defalcation. What is the percentage of money robbed or looted in this way—Rs. 5,000 or 10,000 or 20,000?

Mr. Chairman: Such comparisons are not in order when you speak on the Bill.

Sj. Debendra Nath Sen: They are in order, Sir, because I want to develop my point that if you say by loots and robberies people's money is being spoiled, then I say that more people's money is being spoiled in other ways through people helping the Government. It is only a plea to have this Bill and therefore we suspect that the purpose is not what is laid down, but it is otherwise. Therefore, we say that the purpose is to repress the opposition, to suppress the political

parties. If there is a strike in an area, say, conducted by me, the area may be immediately declared as a disturbed area. If there be a strike in another area conducted by some other person, it will not be so declared. So, Sir, our apprehensions are very great and we oppose this Bill and will continue to oppose this Bill tooth and nail.

With these remarks I support the motion.

[5-10—5-15 p.m.]

Sj. Rabindralal Sinha:

মাননীয় পরিষদপাল মহাশয়! এই যে বিষয়ে বিধানমণ্ডলীর সামনে উপস্থাপিত করা হয়েছে এবং সুন্দর থেকে দেখতে পাচ্ছি বিরোধী পক্ষের বন্দুরা একটা আলোড়ন সৃষ্টি করার প্রয়াস করছেন। দেখতে পাচ্ছি তাতে বিচারের স্থান অধিকার করেছে অশ্ব হৃদয়াবেগ। আজ তাদের ভাষণের মধ্যে যুক্তির চেয়ে জ্ঞানলা প্রকট হয়ে উঠেছে। বিশেষ মনোযোগের সঙ্গে আমি বন্দুদের ভাষণ শুনলাম। তাতে উদ্ভাব প্রাবল্য প্রচুর লক্ষিত হয়েছে। শুনতে শুনতে মনে হচ্ছিল বুঝি বা আমরা নিবারণক নিবোধ আইন সম্বন্ধে বক্তৃতা শুনছি, বা পুলিশ বাজেট সম্বন্ধে শুনছি। তবে আমি মাননীয় বন্দুদের সেজনা দোষী করব না; কিন্তু আমি আমার সামান্য বক্তব্য এই বিধানবলীই মধ্যেই সীমাবদ্ধ রাখব।

আমার মনে হয় তাদের এই গুরুত্ব আপত্তি উত্থাপিত হ'ও না যদি তাই ভাল কোরে যে বিষয়ে বিধান পরিষদের সমক্ষে উপস্থাপিত হয়েছে তার মূলনীতি বিশ্লেষণ করতেন। মূলনীতি হচ্ছে কতকগুলি গুরুত্ব অপরাধ—রাষ্ট্রের বিরুদ্ধে যুদ্ধোদ্যম, অত্যাচার, অপরাধ যেমন হত্যা, বলাৎকার, কন্যা-দুষণ প্রভৃতি মত অপরাধের বিচার স্বরাস্ত করা। এটাতে কার্যবিধি আইনের কিছু পরিবর্তন সাধিত হচ্ছে, দণ্ডবিধির পরিবর্তন হচ্ছে না; দণ্ডবিধিতে নতুন কোন কার্যকে অপরাধ বলে ঘোষণা করা হচ্ছে না। এখন দেখতে হবে যে এই নতুন আইন অনুসারে বিচার কবতে গেলে তাড়াতাড়ি বিচার করা সম্ভব হবে কি না। আমাদের দেশে ফৌজদারী এবং দেওয়ানী উভয়বিধ বিচারই স্বরাস্ত হওয়া উচিত। যাদের আদালতের সঙ্গে সম্পর্ক আছে, বা যাদের আদালতে যাওয়াতে আছে তারা সকলেই জানেন তা। এখন একমাত্র প্রশ্ন এই যে এই আইনের দ্বারা সে কার্য সম্ভবপর কি না। আমরা দেখতে পাচ্ছি যে তৎপালনে যেসমস্ত অপরাধের বর্ণনা করা হয়েছে তাই সবগুলিই গুরুত্ব অপরাধ, অধিকাংশই দায়রার বিচার্য। দায়রায় যে বিচার হয় তার প্রারম্ভিক বিচার হয় দায়রায় সোপান করবার পূর্বে ম্যাজিস্ট্রেটের সামনে। আজকে সংশোধনী প্রস্তাব পড়তে পড়তে বুঝছি আমার বন্দুরা ম্যাজিস্ট্রেটের নিকট বিচারে বিশ্বাসবান হ'য়েছেন। সেই ম্যাজিস্ট্রেটের সামনে সাক্ষা প্রমাণ গৃহীত হবে। আবার সোপান হলে নতুন কোরে সাক্ষা প্রমাণ হবে, এবং নতুন কোরে বিচার হবে তার জারগার প্রারম্ভিক বিচার ওখানে বন্ধ করতে পারলে এবং এখানেই আবশ্যিক কার্য করতে

পারলে বিচার যে স্বরাস্ত হবে সে বিষয়ে সন্দেহ নাই। কিন্তু একটা কথা বলি যে বিচার স্বরাস্ত করতে গিয়ে সুবিচারের বাধ্যতা না ঘটে, এবং অভিযুক্তের কোন সংগত অধিকার হরণ না করা হয়। বন্দুরা এমনভাবে বক্তৃতা করেছেন যেন আমরা অভিযুক্ত পক্ষ আর ঠোরা অভিযুক্ত পক্ষ। তা নয় আমরা দৈবেষ কার্য পরিচালনার ভার নিয়েছি এবং অভিযুক্ত যাতে ন্যায় বিচার পায় তা দেখা সকলেরই কর্তব্য এবং আপনারাও তা দেখেছেন এই আইনে।

প্রথম কথা হচ্ছে—আমি গোড়ায় যে কথা বলেছি যে এটা একটা “এডজুস্টিস ল” মাত্র। এতে কার্যবিধির পরিবর্তন ঘটছে, দণ্ডবিধির পরিবর্তন হচ্ছে না। ফৌজদারী কার্যবিধি আইনে যে অধিকার আছে তাতে এবং বিধানভঙ্গে মহাশ্রমাদিকরণের অধিকারে হস্তক্ষেপ করা হয় নি, বরং তার উন্নতি সাধিত হয়েছে এবং তাবজনা মাননীয় সরকার পক্ষীয় বন্দুদের অভিনন্দন জানাচ্ছি। মহাশ্রমাদিকরণের অধিকার খণ্ডন করা হয় নি। মহাশ্রমাদিকরণ আবশ্যিকমত মামলা স্থানান্তরিত করতে পারবেন এবং সেটা একটা বড় কথা। একটা কথা বলেছেন যে নির্ণায়ক সভা দ্বারা বিচারের অধিকার বন্ধ করা হয়েছে। নির্ণায়ক সভা দ্বারা বিচারের অধিকার বন্ধ করা হয়েছে বটে কিন্তু ফৌজদারী কার্যবিধি আইনের ৪১৮ ধারা অনুযায়ী নির্ণায়ক সভা দ্বারা বিচার যদি হয় তাহলে মহাশ্রমাদিকরণ আইনের “পয়েন্ট”রই বিচার হবে, ঘটনা ঘটতি নয়। যেমন নির্ণায়ক সভার অধিকার বন্ধ হয়েছে তেমনই মহাশ্রমাদিকরণের উত্তর বিচারের জন্য যখন যাবে তখন আপীলের সময় ঘটনা এবং আইন উভয়বিধ “ট্রায়ালে”র সুবিধা হয়েছে। ফৌজদারী কার্যবিধি আইনে যে অধিকার সেওয়া হয়েছে তার চেয়ে বর্তমান আইন অতঃ এ বিষয়ে শ্রেয়ঃ।

তাবপব আর একটা জিনিসের জন্য মাননীয় মন্ত্রী মহাশয়কে অভিনন্দন জানাচ্ছি। কংগ্রেস বহুদিন থেকে বিচার ও শাসন বিভাগ স্বতন্ত্রীকরণের কথা মন্ত্রীকরণের এসেছেন। আমরা এই আইনের সীমাবদ্ধ পরিমণ্ডলের মধ্যে দেখতে পাচ্ছি যে নিষ্পাহকবর্ণ এবং বিচারকবর্ণের ক্ষমতার স্বতন্ত্রীকরণের প্রচেষ্টা এর মধ্যে হয়েছে। শাসকদের এই আইনে কোন ক্ষমতা নাই। এই আইনে ক্ষমতা হয়েছে দায়রা বিচারপতিদের এবং বিচার বিভাগীয় লোকের—শাসন বিভাগীয় লোকের নয়, অর্থাৎ নিষ্পাহকবর্ণের নয়, বিচারকবর্ণের। যাদের বিচারক নিযুক্ত করা হবে তাদের সম্বন্ধে আমরা বন্দুরা কথা তুলেছেন। যারা মহাশ্রমাদিকরণের বিচারক ছিলেন বা আছেন তাদের কথা ওঠে না; তাদের সংখ্যা সীমাবদ্ধ; সকল জারগার তাদের নিয়ে যাওয়া সম্ভব নয়। কালকে “স্পেশ্যাল কোর্ট” করেছি; তাতেও এই বিধান আছে। সুতরাং তার ব্যবস্থা করতে হবে। যারা মহাশ্রমাদিকরণের বিচারক হওয়ার উপযুক্ত তাদের বিচারক করলে কি হবে? সর্বিধানে বিধান আছে যে ব্যবহারজীবী হিসাবে ১০ বৎসরের অভিজ্ঞতা না থাকলে বা কোন মহাশ্রমাদিকরণের বিচারক হিসাবে ১০ বৎসরের অভিজ্ঞতা না থাকলে তাদের এ-ভার দেওয়া যাবে না। তাছাড়া অপর দায়রা বিচারকদের হিসাবে যে কথা বলা হয়েছে স্বতন্ত্রী “ক্লক্কে” তাতে দেখা যাচ্ছে এক বৎসরের অভিজ্ঞতা বলে একটা প্রশ্ন উঠেছে। কিন্তু যার এক বৎসরের দায়রা জজের অভিজ্ঞতা আছে তার পিছনে তার ২০ বৎসরের

[Sj. Rabindralal Sinha.]

অভিজ্ঞতা আছে বিচারক হিসাবে। দায়রা জজ সম্পূর্ণ মহাশয়মাধিকরণের অধীন। বিধানতন্ত্রের ৩০নং “আর্টিকল” অনুসারে যারা দায়রা জজ নির্বাচিত তাদের পদোন্নতি বা বদলী এই মহামান্য মহাশয়মাধিকরণের সঙ্গে পরামর্শ কোরে করতে হবে। কাজেই গোড়ার দিক থেকেই আমি বৃদ্ধিতে পারি না যে বৃদ্ধদের কি বলার আছে।

[5-15—5-20 p.m.]

তারপরে “ডিস্ট্রিক্ট এরিয়া” সরকার ঘোষণা করবেন এই আপত্তি উঠেছে। কেন “ডিস্ট্রিক্ট এরিয়া” ঘোষণা করবে? তাদের ভয় হয়েছে—হয়ত তে-ভাগা আন্দোলন, হয়ত ট্রেড ইউনিয়ন আন্দোলন করলে “ডিস্ট্রিক্ট এরিয়া” ঘোষণা করা হবে। কোন “ডিস্ট্রিক্ট এরিয়া”র কেবল তপশীল অপরাধের বিচার হবে ট্রাইবিউনালের কাছে, অন্য অপরাধের নয়। সুতরাং এতে তাদের চিন্তা কেন? ঘৃণা অপরাধ করলেই বিচার হবে স্পেশ্যাল ট্রাইবিউনালের কাছে (“ভয়েস”): অন্য অপরাধও আছে। সেটা রাষ্ট্রদ্রোহিতার অপরাধ। সেটা ছোট বালি না। রাষ্ট্রের বিরুদ্ধে যুদ্ধোদ্যম রাষ্ট্রের বিরুদ্ধে কার্যকর কম ঘৃণা অপরাধ বলে মনে করি না। আমি তপশীলটা ভাল কোরে পড়েছি।

নির্ণায়ক সভার বিচার অধিকার হরণের সম্বন্ধে কিছু বলব। আমাদের ভারতবর্ষীয় আইনের চূড়ান্ত নিষ্পত্তি নির্ণায়ক সভা দ্বারা হবার অধিকার আছে বলে জানি না। আমাদের ফৌজদারী কার্যবিধি আইনের ২৬৮ ধারায় বলেছে দায়রার বিচার হবে নির্ণায়ক সভার সাহায্যে বা নাম নির্ধারণের সাহায্যে—জুরী বা এসেসরের সাহায্যে। তারপর আবার ২৬৯ ধারায় দেখতে পাই প্রত্যেক রাজ্য সরকার ঘোষণাপত্র দ্বারা স্থির কোরে দেবেন কোন কোন অপরাধের এবং কোন কোন জেলার নির্ণায়ক সভা দ্বারা বিচার হবে; এবং সবকার ইচ্ছা করলে পুনরায় ঘোষণা দ্বারা পূর্বোক্ত ঘোষণা প্রত্যাহার, পরিবর্তন এবং পরিবর্তন করতে পারেন। সুতরাং দেখা যাচ্ছে দায়বায় যদি কিছু অধিকার থাকে সরকার সেটা প্রত্যাহার কোরে না নিলে, সেদিক থেকে তাদের অধিকার বিষয় কিছু যাবে বলে মনে করি না। তা ছাড়া জুরীর বিচারের ভাল মন্দ দুটো দিক আছে। অসত্য: সময় যে অনেক কমবে জুরীর বিচারের চেয়ে তা নিশ্চিত। যারা নির্ণায়ক সভার সভ্য হবেন তাদের অধিকাংশের সাক্ষা প্রমাণ গ্রহণ, সাক্ষা প্রমাণ শ্রবণ, ঘটনার প্রমাণ ও বিচারের অভিজ্ঞতা নাই। সেই জায়গায় যদি একজন বিচার বিভাগীয় এবং উচ্চ বিচার বিভাগীয় ব্যক্তির দ্বারা—যার এই সমস্ত অভিজ্ঞতা, এই সমস্ত জ্ঞান ও শিক্ষা আছে এমন লোকের দ্বারা বিচার হলে কি ক্ষতি হবে? অবশ্য ব্রিটিশ যুগে, প্রাক্ স্বাধীনতা যুগের কথাই বলব। প্রাক্ স্বাধীনতা যুগে এই কথাই স্মরণ রাখা উচিত যে তখন যে সরকার ছিল, তখন যার হাতে ক্ষমতা ছিল, তার পরিবর্তন করতে পারতাম না। দেশে জাগ্রত গণভোট প্রতিষ্ঠিত হয় নি—“প্রোজারী বেণ্ড” থেকে নামাতে পারতাম না। কিন্তু আজ ইচ্ছা করলে একদিনেই মন্ত্রিসভার পতন ঘটাতে পারি, পরিবর্তন ঘটাতে পারি। সুতরাং বর্তমান পরিবর্তিত পরি-
স্থিতি স্মরণ রাখতে অনুরোধ করব।

বিচার স্বাধীনতা করার জন্য আসল অধিকার হরণ করা হয় নি। “প্ৰিভেলেজ ট্রায়াল”এর অধিকার

রয়েছে। নতুন কোরে সাক্ষা প্রমাণ গ্রহণ করা যাবে—যদিও তাতে কিছু বিলম্ব হবে। সে বিলম্ব হওয়া উচিত। তা নাহলে সুবিচারে বিঘ্ন ঘটবে। যেখানে সুবিচার দরকার—তার বিরুদ্ধে যেতে চাই না।

তারপর আপীলের যে অধিকার দেওয়া হয়েছে তার সময় নির্ধারণ করা হয়েছে এক মাস; তাতে কি আপত্তি আছে? যারা মৃত্যুদণ্ডে দণ্ডিত আসামী তাদের ৭ দিন মাত্র আপীলের সময়। সেটা বৃদ্ধ করা হ'ল। সরকারের “একুইটাল”এর বিরুদ্ধে যে আপীল তার সময় ৬ মাস—সেটা এক মাস কমান হয়েছে। আর যেখানে ৬০ দিন ছিল সেটা ৩০ দিন করা হয়েছে। কাজেই ওদের যে প্রস্তাব তাতে কাজে বিলম্ব ঘটবে, সুবিধা হবে না যদি দীর্ঘদিন “লিমিটেশন টাইম” বাড়িয়ে দেওয়া যায়। বৃদ্ধরা কেন যে এই বিলের বিরোধিতা করছেন বৃদ্ধিতে পারি না। মনে হয় মূল নীতি যদি ঠিক কোরে বিশ্লেষণ করতেন তাহলে তাদের এরকম বিরোধের কারণ থাকত না। যেসব বৃদ্ধরা ইতিহাসের সাক্ষা জানেন যে গণতন্ত্রের নিয়মে তারা কোন দেশে ক্ষমতা হস্তগত করতে পারেন নি—ক্ষমতা হস্তগত করার পরে বহু দায়িত্ব নিয়েছেন—আগে পারেন নি—তারা জানেন অরাজকতার মধ্যে দেশের মানুষের মনোবল নষ্ট হলে সহজে মুষ্টিমেয় দলের দুঃসংকল্প মানুষের দ্বারা ক্ষমতা হস্তগত করা যায়, তাদের আপত্তির কারণ বৃদ্ধিতে পারি। কিন্তু যে সমস্ত বৃদ্ধ এখনও পার্লামেন্টারী গণতন্ত্রে বিশ্বাস করেন তাদের আপত্তি সমাক উপলব্ধি করতে পারি না। তাই অনুরোধ করছি অন্ধ কংগ্রেস বিশেষ, ভূষা হৃদয়বোধ যেন তাদের “বিচারের স্রোতপথ নাহি ফেলে গ্রাসি”।

(LOUD CHEERS FROM GOVERNMENT BENCHES).

[5-20—5-25 p.m.]

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir. As I proceed to support the motion for circulation I confess to a sense of weakness, physical weakness due to the low temperature of this House; but, Sir, there is another weakness which I have got to fight against at the present moment, a sentimental weakness for the Hon'ble Minister-in-charge of Law and Justice who is sitting over there with an aura of goodness around him. I wish I could support his Bill. But on questions of principle I am in utter disagreement with him. Sir, as I was listening to his introductory speech I was considerably surprised and not a little shocked. I was surprised and shocked because he was a party to a measure which is in utter violation of the sacred principles of justice and fair trial.

Sir, Lord Acton says, power corrupts; and absolute power absolutely corrupts.; Am I to understand that so far as our Minister for Law and Justice is concerned the degeneration has set in so early, so soon after his contact with political power. Sir, the Minister in charge of the Bill has completely failed to prove and establish the Preamble. In the Preamble he states that there is a necessity for the Bill because the security of the State is in danger, because there is danger to the peace and tranquillity of the country, because it is not possible or it may not be possible under certain circumstances for business and industry to carry on their normal functions. I question in all seriousness if he has been able to establish any of these. His Excellency the Governor of West Bengal in his gracious address to this House declared that peace and order were reigning supreme. The Chief Minister has also endorsed what His Excellency stated.

[5-25—5-30 p.m.]

Then, in the second place, can he prove that any section of the people is tying at the present moment, or is likely to try in the near future to break down the law just to disturb the peace and tranquillity of the country? He has not been able to adduce a single bit of evidence in support of any of these two possible difficulties, namely, security of the State and danger to peace and tranquillity. Sir, industry and trade are absolutely safe today and they are being carried on by people who are engaged in them. Our friend Mr. Sarogi is a businessman; he has been going on without any disturbance. He will certainly endorse what I have stated just now. He is certainly making his usual, and shall I say unusual, profits quite undisturbed by anybody. It is for these reasons that I have come to the conclusion that there is no case for the enactment of this black measure. Sir, I am one of those who believe that extraordinary circumstances justify extraordinary measures, but has the Minister in charge of the Bill been able to

prove that extraordinary circumstances exist today, or are likely to come into existence in the future? He has done nothing of the kind. Sir, I believe that there is deep discontent in the country, but this deep discontent is the making of the Governmental acts of omission and commission. Congress Government existing in West Bengal for quite a number of years has reduced the country to a deplorable state and today it is nearly impossible for the common man to secure the primary necessities of life. Right to work, right to food, shelter, clothing, arrangements for health services and education are practically non-existent in West Bengal. These are the circumstances that have led to the deep discontent that exists in our country. When there is deep discontent amongst the people, it must be concluded that there are objective circumstances leading to deep discontent. I do not know, Sir, if the Congress Benches will have the patience and the good sense to listen to the voice of wisdom of one of the greatest minds in the history of human thought, I mean Edmund Burke. You will bear with me, Sir, if I read out to you one or two sentences from the observations that Burke made. The great political philosopher says: "But I do say that in all disputes between them, (that is to say, the people and their rulers,) the presumption is at least upon a par in favour of the people. Experience may perhaps justify me in going further. When popular discontents have been very prevalent, it may well be affirmed and supported that there has been generally something found amiss in the constitution or in the conduct of Government. The people have no interest in disorder. When they do wrong, it is their error and not their crime. But with the governing part of the State it is far otherwise. They certainly may act ill by design as well as by mistake." Sir, I have no hesitation in saying that, after examining the circumstances attending the unfortunate State of West Bengal, the Government in this unfortunate province is acting ill by design.

[Sj. Nirmal Chandra
Bhattacharyya.]

[5-30—5-35 p.m.]

They have conspired in fact to take away the liberty of the people through the instrumentality of this Bill. It has been argued by my friends very ably that the Bill that has been put forward is inconsistent with Article 14 of our Constitution. The Minister-in-charge of the Bill referred to certain judgments delivered by their Lordships in the Supreme Court. I may refer to the judgment of Mr. Justice Vivian Bose [in the case of the State of West Bengal *vs.* Anwar Ali Khan] who in connection with Article 14 delivered his judgment as follows—"What I have to determine is whether the differentiation made offends what I may call the social conscience of a sovereign democratic republic. That is not a question which can be answered in the abstract, but viewed in the background of our history I am of opinion that it does. It may be that justice would be fully done by following the new procedure. It may even be that it would be more truly done. But it would not be satisfactorily done, satisfactory, that is to say, not from the point of view of the Governments who prosecute, but satisfactory in the view of the ordinary reasonable man, the man in the street. It is not enough that justice should be done. Justice must also be seen to be done and the sense of satisfaction and confidence in it engendered. That cannot be when Ramchandra is tried by one procedure and Sakharan, similarly placed, facing equally serious charges, also answering for his life and liberty, by another, which differs radically from the first". This is the kind of discrimination against which Article 14 definitely sets its face. Mr. Justice Vivian Bose continues: "The law of the Constitution is not only for those who govern or for the theorists but also for the bulk of the people, for the common man for whose benefit and pride and safeguard the Constitution has also been written. Unless and until these fundamental

provisions are altered by the constituent processes of Parliament they must be interpreted in a sense which the common man, not versed in the niceties of grammar and dialectical logic, can understand and appreciate so that he may have faith and confidence and unshaken trust in that which has been enacted for his benefit and protection." Mr. Justice Vivian Bose interpreted Article 14 in the spirit of the Constitution and he definitely laid down that any discrimination would be inconsistent with Article 14 and therefore it would be offending against that particular article. That is the position that my friends have taken and I believe they are on unassailable ground. The purpose of the Government appears to be to repress all political movements ranged against their party by repressive laws. You cannot smother popular agitation by repressive Acts. During the latter part of the eighteenth century in England there was an attempt on the part of the reactionary Government to subvert the liberties of the people in the name of peace and order. There was an attempt to take away popular freedom.

[5-35—5-40 p.m.]

Sir, in protest against such measure Charles James Fox, the founder of 19th century liberalism, declared "Freedom is peace, freedom is order." Give the people freedom and the discontent will be removed. Give the people conditions under which they may be able to secure work, food, clothing, shelter and arrangements for health and education, there will be no difficulty at all for the Government to go to the people and to ask them to keep quiet. Instead of doing so, when the people demanded bread and you gave them bullets. By this infamous Bill you are going to rule this country by the Star Chamber method of trial. Sir, the system of jury trial is not a statutory right of the citizens, but you are aware, Sir, that our Constitution is based upon the Constitutions of England and America. In America under the Bill of Rights (under Article V and

VI) jury trial is definitely safeguarded. Article V runs as follows: "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury;" I need not read the whole article. Now, Sir, Article VI says: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the States and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favour, and to have the assistance of counsel for his defence." Sir, the English Constitution from which the makers of our Constitution have drawn considerable inspiration regards jury trial as one of the fundamental rights of the citizens. Jury trial may be regarded as the corner-stone of the English system of the administration of justice. It has been argued that it is not the statutory right of the citizens of India. I agree but if we interpret our Constitution in the spirit in which it was framed, if we examine the sources from which we have drawn our inspiration in the making of our Constitution, no doubt will be left in our mind as to the sanctity of Jury trial. Sir, my friends opposite are determined to pass this Bill into an Act. They will perhaps succeed by the assistance of a brute majority. They will lose the argument but they will gain the vote. We know it. If they go on in this fashion, I have no doubt that they will be pitchforked by history on the dung-hill of oblivion. Progressive movement of the people will gain greater pace in spite of their nefarious attempts to subvert the liberties of the people.

Sr. Narendranath Bagchi: Mr. Chairman, Sir, I will not take too much time of the House. I would just speak on the necessity whether it exists in the country at present or not for such a Bill to be enacted.

Well, with regard to the standard definition of disturbed condition, there cannot be any measure of standardisation of the definition. It is said that the state may declare certain area as disturbed. The State has the authority to do that and not a man in the street can do that. Now, I would just draw your attention, Sir, to certain incidents that happened not so much at a distant past and then I will try to establish that there is necessity for such an enactment.

[5-40—5-45 p.m.]

Sir, in 1949 a poor friend of mine Sri Kahi Bishi was killed. It was a cold-blooded murder the death being caused by hurling a high explosive bomb at him from behind. After that we heard the Jessop incident. I hail from Barrackpore side and I know that the Jessop type of deeds were about to be enacted in some other mills. Of course, we were on our feet of alertness, and we could avoid it. Now there have been, Sir, a series of such actions. I do not know whether our friends opposite will make use of these persons. I, of course, will understand them properly if they want to make use out of these persons, these gangmen, these gangsters, people who kill from behind, people who set fire to others' property, people who loot others' property, people who kill persons cold-bloodedly. Life after all is sweet for everybody. Society should think more of the peaceful persons than of the heroism of such gangsters. I wonder if they have been trying to make heroes of them. Sir, whether such a condition prevails or not is a matter of feeling. They may feel that such a condition does not prevail. We have also got contact with large sections of the people and I may say that a large majority of the people feel a sort of insecurity in the country for such acts. Sir, about the wording of the disturbed area they take exception to the past tense. If there was disturbance in a certain area it is likely that there may be disturbance in the same area again and what is the wrong if Government set their hands at rectification.

[Sj. Narendranath Bagchi.]

Sir, I speak of the 1950 disturbances. It is common knowledge to all friends here that many Muslims lost their houses, those Muslims who did not go over to Pakistan. They have been loitering about here and there, in neighbouring villages and at other places, but whenever they go to enquire about their holdings, which are really very poorly built holdings, to enquire about their condition they are being threatened that they would be killed. This is common knowledge of social progress. If with such types of knowledge we wink at these things and say that there is no necessity for passing such a Bill, well, I cannot hold the same view.

Now with regard to other points I won't repeat what others have said. Now jurors versus the tribunal has been poised before us. Now the jurors are drawn from ordinary walks of life but in this tribunal we find a much finer set of people put in for trying these cases. Certainly they must be men of some legal acumen and legal acumen of some standing before they are drawn to form these tribunals.

[5-45—5-50 p.m.]

I do not think there can be any objection to such formation of tribunals and to their being preferred to the jurors because we all know from whom the jurors are drawn, and as a matter of fact my friend opposite said that jurors have been found dishonest—Mohitosh Babu said that—I do not go so far as that, but I have heard my juror and assessor friends say that jurors are always asleep. They sleep until they are aroused by the headman. That is also common knowledge with many of us. We have got to see whether this is an improvement on the jury system of trial or not. This tribunal is being formed of certainly very highly qualified persons who can actually do justice to these cases.

Sj. Debendra Nath Sen:
Specially qualified.

Sj. Narendranath Bagchi: Of course from the opposition point of

view you can say many things. But from our point of view they are drawn from the much finer section of our population.

Now about police and police misconduct, much has been said by opposition friends, but here perhaps under this Bill we are not considering the actions or inactions or misdeeds of the police. Here we are considering the tribunals in question and nothing else. I think it will be wrong to compare our conditions with Britain or America. We have got to admit that public moral, public conduct in our country has not yet been so moulded as to bear comparison with that of America or Britain.

Sj. K. P. Chattopadhyay: You then admit the arguments

Sj. Nirmal Chandra Bhattacharyya: You do not then deserve to be free.

Sj. Narendranath Bagchi: I see things as they are and draw my own conclusions.

Now, my friends opposite think that the whole Bill is going to be applied against them or, say, their clientele. Of course that is a fear complex. For myself I would say that if I see that this Bill is applied for some political motives against anybody for dominance over political opponents, I will be the first person to detest it, to go against it.

With these words, I have just tried to make out my case that the Bill be taken into consideration, and my speech goes in support of it.

Sj. Satyendra Kumar Basu: Sir, I oppose the motion. There has been a threadbare discussion on the various aspects of the Bill and on the motion, and I do not propose to take much time. I remain unconvinced that the Bill should be circulated to elicit public opinion and I shall give my reasons therefor. Sir, I heard somebody citing the passage from the judgment of Mr. Justice Vivian Bose occurring in the case of Anwar Ali Khan. I am amazed, Sir, that my friend Prof. Bhattacharyya should cite it. It may be that he did not appreciate what was held in that case. What

Mr. Justice Vivian Bose said, and the other Judges said, was that if Ramchandra and Sakharan had committed the same kind of offence, you cannot have Ramchandra tried by one court under a particular procedure and have Sakharan tried by another court under a different procedure. In order to avoid that state of things this Bill has been introduced. What we have done is we have collected a certain number of very grave offences, scheduled them and we have said that all these offences, whoever may be the accused, should be tried by the Special Tribunal.

[5-50—5-55 p.m.]

Whoever may be the accused he should be tried by the Special Tribunal. In order to meet the objection raised by the Supreme Court not only in this case but also in another case, viz., the Sourashtra case, this Bill has been introduced. It is permissible to make out a Bill so that it will be effective so far as a particular area is concerned and so that it will be effective so far as particular crimes are concerned. "The impugned Ordinance having thus been passed to combat the increasing tempo of certain types of regional crime, the twofold classification on the lines of type and territory adopted in the impugned Ordinance read with the notification issued thereunder is in my view reasonable and valid." So that you can legislate so as to affect a particular area and also so as to affect a particular type of crime. With regard to the statement that a case has not been made out for introduction or passage of a Bill such as is now before the House, it is only too notorious that operation of gangsters has been going on from week to week and from month to month not only in Calcutta but also in the industrial area. I do not think any further case need be made out.

Sj. Debendra Nath Sen: The number is going down.

Sj. Satyendra Kumar Basu: It has been made up in July. There are two cases in July, so that the

number has come up to 8. There may be 30 before the year is out.

Sj. Nirmal Chandra Bhattacharyya: The problem is to stop the commission of such offences.

Sj. Satyendra Kumar Basu: On Monday or Tuesday there was an occurrence on Strand Road. There were two people there, and they were attacked; the money they had was snatched away from them. There was a case in Konnagar last week; a man was bombed; he was killed and money was taken away. The motion before the House is that the Bill be circulated to elicit public opinion. The issue ought not to be clouded by expressions of unreal and baseless affairs or by imputing motives. It is unnecessary to circulate the Bill because the public are familiar with this kind of legislation at least for the last ten years. Special courts with special procedure, established under different Ordinances and Acts, have been in operation from, I believe, 1942. There were two Central Ordinances promulgated in 1942 and 1943 dealing with this class of offences. There was an Ordinance in 1946—it was a Provincial Ordinance—and another in 1947 with like provisions. An Act was passed in 1947 which contained provisions such as those contained in the present Bill, plus various other stringent provisions which have been excluded from the present Bill. The provisions, which have been omitted from the present Bill, are—power to transfer cases from one Special Court to another Special Court vested in the State; then there was a power given to the State Government to transfer cases from ordinary Courts. If you look at the Act you will notice that in that Act there is a provision for trial of cases as in warrant cases, in other words trial of cases without the aid of a jury.

[5-55—6 p.m.]

The exclusive jurisdiction was exclusively vested in the trial of cases. There were restrictions regarding adjournments and the court was vested with the power to refuse even to summon witnesses. There was also presumption of guilt. All

[Sj. Satyendra Kumar Basu.]

these provisions have been eliminated from the Bill. On the 17th August, 1949, the West Bengal Special Courts Ordinance was promulgated with like provisions. This was held valid by the Supreme Court. I shall place the Ordinance of 1949. Section 3 provides for constitution by the state of special courts. Section 4 provides for the appointment by the Provincial Government of a judge, namely, a person who is either a judge or a retired judge or a person with the qualifications of a High Court Judge or an Additional Sessions Judge or Sessions Judge. Section 5 classifies offences and section 6 provides that there will be trial by a special court without the aid of jury as in warrant cases. There is a power vested in the special courts to exclude evidence, restriction of adjournments and there is also a provision that the case may be tried in camera. (INTERRUPTIONS) Please allow me to go on uninterruptedly. Now, Sir, section 11 has been put for the purpose of dealing with refractory witnesses who will not be allowed to come to court. As a sort of stringent provision this section has been put. Now, Sir, the Supreme Court held that section 5 of the Act offended against Article 14 of the Constitution, because it enabled the State Government to select one among a number of persons committed for the same offence to be tried by a special court and allowing other persons to be tried by ordinary courts. That is the only section which has been criticised by the Supreme Court. In March, 1952, the Act was promulgated in order to remedy the defect which was pointed out by the Supreme Court. This Bill is introduced for the purpose of replacing the Ordinance. It is very clear that the matter of constitution of special courts for trial of certain offences has been before the public for a long time and circulation of the Bill now will serve no useful purpose. We are all very anxious to get the Bill passed because there is a large number of cases pending which need be disposed of speedily.

[6—6.5 p.m.]

The other points have been dealt with, particularly by my friend Mr. Rabindralal Sinha, and I need not take up your time.

The motion of Janab Abdul Halim that the Tribunals of Criminal Jurisdiction Bill, 1952, be circulated for the purpose of eliciting opinion thereon by the 31st March, 1953, was put and a Division taken with the following result:—

AYES—9.

Abdul Halim, Janab
Bhattacharjee, Sj. Durga Kinkar
Bhattacharyya, Sj. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, Sj. K. P.
Choudhuri, Sj. Annada Prosad
Prosad, Sj. R. S.
Sanyal, Sj. Charu Chandra
Sen, Sj. Debendra Nath

NOES—27.

Abdur Rashid, Janab Mirza
Bagchi, Dr. Narendranath
Bandopadhyaya, Sj. Tarakdas
Banerjee, Sj. Bankim Chandra
Banerjee, Sj. Sunil Kumar
Basu, Sj. Gurugobinda
Bhattacharya, Sj. Bijan Bihari
Chakravorty, Sj. Hridoy Bhuson
Chatterjea, Sj. Devaprasad
Das, Sj. Hare Krishna
Das, Sja. Santi
Deb, Sj. Narasingha Malla Ugal Sanda
Dutt, Sja. Labanya Prova
Ghosh, Sj. Kamini Kumar
Guha, Sj. Prafulla Kumar
Kumar, Sj. Siba Prasad
Mahanty, Sj. Charu Chandra
Misra, Sj. Sachindra Nath
Mookerjee, Sj. Kamala Charan
Mookerjee, Sj. Kali Pada
Mukherjee, Sj. Kamada Kinkar
Musharraf Hossain, Janab
Pradhan, Sj. Lakhon
Saraogi, Sj. Pannalal
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha, Sj. Rabindralal

The Ayes being 9 and the Noes 27 the motion was lost.

[6.5—6.25 p.m.]

Mr. Chairman: Along with this amendment the other amendments also fall through because they have the same principle; only the dates differ.

The motion of **Sj. Satyendra Kumar Basu** that the Tribunals of Criminal Jurisdiction Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

(At this stage the Council was adjourned for 15 minutes)

(After Adjournment.)

Clause 1.

Janab Abdul Halim: Sir, I beg to move that in clause 1(3), lines 1 and 2, for the words beginning with "immediately on" and ending with "ceasing to operate" the words "as and only when a state of emergency is declared by the President of the Union under Article 352 of the Constitution of India" be substituted.

মিষ্টাব চেয়াবমান স্যার, আমি আগেই বলেছি এদেশে বর্তমানে এ বকম কোন পরিস্থিতি নাই, দেশে কোন ডিস্টার্বেন্স বা কোন হাঙ্গামার সম্ভাবনা দেখি না কাজেই ভারতীয় সংবিধানের ৩৫২ ধারায় যে বিধান দেওয়া হয়েছে দেশে তেমন কোন জরুরী অবস্থার উদ্ভব হলে ভারতের রাষ্ট্রপতি তা ঘোষণা করবেন। কাজেই সেখান থেকে যদি এমার্জেন্সি ঘোষণা করা হয়।

As and when only an emergency is declared by the President of the Union.

তাহলে সেই ট্রাইবুনাল জুডিসিয়ালিসন বিল পাশ হবাব পব রাষ্ট্রপতি যখন ঘোষণা করবেন দেশে এই বকম অবস্থা, তখন এই বিল কার্যতঃ ঘোষণা হতে পারে, তার আগে নয়।

[6-25—6-30 p.m.]

Sj. Satyendra Kumar Basu: Sir, I oppose the proposed amendment. There are prosecutions pending and there are cases awaiting trial. They have got to be disposed of quickly. The Ordinance will lapse and, therefore, the Bill has got to be passed. The amendment which has been suggested by my friend can only be prospective and cannot deal with criminals who are awaiting trial. The President can make an order or a declaration only under Article 352. That Article applies to national and not to local emergency. It deals with war and aggression. Offences, other than those relating to war, are included

in the Schedule. The President cannot make any order with regard to the offences included in the Schedule. The amendment, therefore, will not be adequate. You will also notice that a proclamation by the President cannot be in force for more than two months. Provisions of the Bill are within the competence of the State Legislature. There is also another difficulty—the State Legislature cannot impose a duty on the President to make a declaration.

The motion of **Janab Abdul Halim** that in clause 1(3), lines 1 and 2, for the words beginning with "immediately on" and ending with "ceasing to operate" the words "as and only when a state of emergency is declared by the President of the Union under Article 352 of the Constitution of India" be substituted, was then put and lost.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

Janab Abdul Halim: Sir, I beg to move that in clause 2(b), line 2, for the words "State Government" the words "President of the Union" be substituted.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that clause 2(b)(i) be deleted.

Sir, I beg also to move that in clause 2(b), line 6, after the word "tranquillity" the words "accompanied by, to the reasonable satisfaction of the State Government, frequent commission of one or more of the offences mentioned in the Schedule" be inserted.

Dr. Monindra Mohan Chakrabarty: I beg to move that in clause 2(b), line 8, after the words "disturbed area" the word "which" be inserted.

Sir, I beg also to move that in clause 2(b), lines 9 to 12, the words beginning with "In cases" and ending with "the notification" be deleted.

Janab Abdul Halim:

মিন্টার চেয়ারম্যান, স্যার, আমি আগেই বলেছি যে যখন দেশে কোন ডিস্টার্ব্যান্সের ঘটনা ঘটে, এই রকম জরুরী অবস্থার উদ্ভব হয়, তাহলে ভারতের রাষ্ট্রপতি তিনিই সেই সময় ঘোষণা করবেন—ডিস্টার্বড এরিয়া। তা ছাড়া নয়।

Sj. Nirmal Chandra Bhattacharyya:

Sir, it is never the practice of Legislatures to make a law which has a retrospective effect. You are giving a retrospective effect to this piece of legislation. Supposing that there was disturbance four or five years ago in a particular area and in that area there is a political party which is carrying on its legitimate activity and that political party happens to be the opponent of the party in power, in that case the party in power may declare that area to be a disturbed area. So the legitimate liberty or freedom of organisation may be interfered with by such action on the part of the Government. That is why I move my amendment, which I think is a very desirable one.

[6-30—6-35 p.m.]

Dr. Monindra Mohan Chakrabarty:

Mr. Chairman, Sir, in addition to what my friend Mr. Bhattacharyya has said about this amendment I just want to point out that I have taken out a few lines from the clause so that it will read "any extensive disturbance of the public peace and tranquillity and in respect of which area the State Government has issued a notification which shall have effect from such date as may be specified in the notification until the notification is revoked." In support of the amendment I have already spoken in my observations on the circulation motion of the Bill. By this clause the Government want to suppress and harass their political opponents and will not allow other political parties to carry on with their activities. That is why I have proposed my amendment and I think the Hon'ble Minister will see the justice of my amendment and will accept it.

Sj. Satyendra Kumar Basu: Sir, Dr. Chakrabarty is of opinion that

this Bill has been brought to suppress the political opponents of Government. But, Sir, if the Government was so minded there were other Acts which could have been utilised for the purpose. I can assure my friends that this is a plain and simple Bill and is only intended to deal with cases which I have indicated and it is not intended to deal with any political parties either. If Dr. Chakrabarty's amendment is accepted it will read: "disturbed area means an area in which in the opinion of the State Government there was or there is any extensive disturbance of the public peace and tranquillity and in respect of which area the State Government had issued a notification declaring such area to be a disturbed area until the notification is revoked." I do not know what it will mean. Therefore, Sir, the clause should be preserved in the manner in which it now appears in the Bill.

[6-35—6-40 p.m.]

I cannot agree to deletion of the words contained in clause 2(b)(i) because, Sir, there are cases awaiting trial and you have got to dispose of those cases which are awaiting trial and this Bill has been designed for the purpose of speedy trial of the pending cases and also cases which may occur in the future. Therefore, it is necessary to provide for cases which are pending for trial and also cases which may occur in future.

Sir, with regard to the first amendment which has been suggested, my answer is this that this is State legislation, and, therefore, the declaration will be made by the State Government. The State is competent in such matters to legislate in the manner it has purported to do. How then can you suggest that we are to depend on the President for the purpose of making a declaration. Also, Sir, there will be considerable delay and inconvenience, and in the meantime a serious situation may arise and the situation may deteriorate. But the State Government, Sir, is on the spot and it can act quickly, and I

have also indicated, Sir, why you cannot provide in the Bill that the President should make the declaration. My objection, Sir, is the same with regard to the other amendment suggested, suggesting the insertion of the words "accompanied by, to the reasonable satisfaction of the State Government, frequent commission of one or more of the offences mentioned in the Schedule" after the word "tranquillity". We have got to dispose of the pending cases and I cannot agree to any of the amendments.

Mr. Chairman: The question before the House is the amendment No. 8 to clause 2.

Sj. Nirmal Chandra Bhattacharyya: Sir, I thought you were considering only clause 2(b)(i).

Sj. Satyendra Kumar Basu: I have, in my reply, dealt with all the amendments.

Sj. Nirmal Chandra Bhattacharyya: We spoke on 2(b)(i) only.

Mr. Chairman: I thought you had covered the whole thing in one speech. Now the Hon'ble Minister has dealt with all the amendments. Anyhow you can go on and this is not to be taken as a precedent.

Sj. Nirmal Chandra Bhattacharyya: Sir, my remarks will be very brief indeed. My argument in favour of the amendment which stands in my name is this. This is an extraordinary piece of legislation and when you arm the executive with extraordinary power you must do so with some safeguards. I do not say that they have a certain motive or the present Government will work with a certain motive; but then they will not be in power for all the time. This is going to be placed on the Statute Book permanently. Therefore it is necessary that the powers of the State Government with regard to the declaration of disturbed area should be clearly defined. It is for this reason that I have moved this amendment.

Sir, let me mention a matter which the Chief Minister referred to the other day. He waved a

pamphlet supposed to have been issued by the Revolutionary Communist Party of India and said that it was a pamphlet of a revolutionary nature and the purpose of the pamphlet was to incite people to murder and violent overthrow of the State. I do not hesitate to regard that document as one of apocryphal origin and I would go further and compare that document to the infamous Reichstag Trial which Hitler staged for the purpose of riveting the chains of slavery upon the German people. The Government in power or some future Government taking its place might take advantage of this particular clause if it is permitted to remain as it is and fake certain evidences and then declare a particular area as disturbed area and take away the right of jury trial which is guaranteed by the Criminal Procedure Code. It is for this reason that I move that this amendment be accepted.

The motion of Janab Abdul Halim that in clause 2(b), line 2, for the words "State Government" the words "President of the Union" be substituted was put and lost.

The motion of Sj. Nirmal Chandra Bhattacharyya that clause 2(b)(i) be deleted was then put and lost.

[6-40--6-45 p.m.]

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 2(b), line 6, after the word "tranquillity" the words "accompanied by, to the reasonable satisfaction of the State Government, frequent commission of one or more of the offences mentioned in the Schedule" be inserted, was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 2(b), line 8, after the words "disturbed area" the word "which" be inserted, was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 2(b), lines 9 to 12, the words beginning with "In cases" and ending with "the notification" be deleted, was then put and lost.

The question that clause 2 stand part of the Bill was then put and agreed to.

Clause 3.

Janab Abdul Halim: Sir, I beg to move that in clause 3(2), line 1, after the words "the State Government shall" the words "authorise the Chief Justice, High Court, to" be inserted.

Sj. Mohitosh Rai Choudhuri: Sir, I beg to move that in clause 3(2), line 1, the following words be inserted after the words "shall appoint", namely:—

"in consultation with the Chief Justice of the High Court".

Sir, I also beg to move that for paragraph (b) of clause 3(2), the following be substituted, namely:—

"(b) has been a permanent Sessions Judge or Additional Sessions Judge".

Janab Abdul Halim: Sir, I beg to move that in clause 3(2)(b), line 1, for the words "one year" the words "five years" be substituted.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that in clause 3(3), lines 2 to 4, for the words beginning with "such place" and ending with "in this behalf" the words "the headquarters of the district within the jurisdiction of which the disturbed area happens to be situated" be substituted.

Janab Abdul Halim:

মিঃ চেয়ারম্যান, স্যার, যেখানে "স্টেট গভর্নমেন্ট" কথা উল্লেখ করা হয়েছে—সেখানে আমি বলছি—

State Government shall authorise the Chief Justice of the High Court to appoint the Judge to preside over the Tribunal.

এ ক্ষেত্রে হাইকোর্টের জজেরা এই সম্পর্কে বিশেষ অভিজ্ঞ; কোন জজ ভাল বিচার করতে পারেন, কে উপযুক্ত বিচারক—সেই সম্পর্কে চীফ জাস্টিসই অভিজ্ঞ। সেই ক্ষেত্রে স্টেট গভর্নমেন্টের উচিত হাইকোর্টের চীফ জাস্টিসকে অথরাইজ করা, যাতে তিনি ট্রাইবুনালের জন্য উপযুক্ত জজ নির্বাচন করেন।

সঙ্গে সঙ্গে আমি বলতে চাই যে জজ ও এডিশনাল সেশন জজ যাদের এক বছরের অভিজ্ঞতা আছে, সেক্ষেত্রে তাঁদের বিচারক নিযুক্ত না করে, যারা পাঁচ বছর বা তারও অধিক দিন বিচারকের পদে কাজ করছেন,—তাঁদেরই ট্রাইবুনালের মত গুরুত্বপূর্ণ মামলার বিচারের জন্য নিযুক্ত করা উচিত।

[6-45—6-50 p.m.]

Sj. Mohitosh Rai Choudhuri:

Mr. Chairman, Sir, You must have noticed from the trend of the discussion on the floor of the House as well as in the country that there has been a good deal of opposition to the Bill and the main reason for it is the suspicion that the Executive Government may misuse the provisions of the Bill in their own party interest and try to suppress the political parties who do not see eye to eye with them. So it behoves the Government to see that this suspicion about their *bona fides* is removed. One thing which has raised the suspicion is the provision in the Bill that the members of the Tribunal will be appointed by the Executive Government. From our past experience of the Judges of the Tribunal, in many cases we found that such persons had been often appointed who had the reputation of being most convicting or who had the evil repute of being subservient to the Executive Government. In order to remove that suspicion it would be better if the Judges be appointed by the Chief Justice. I know there is some constitutional difficulty. Under the Constitution the duty of appointing Judges devolves upon the Government. I would, therefore, suggest that Government should delegate that power to the Chief Justice. In any case Government can easily consult him before appointing the Judges. As a matter of fact, Government will have to do so in some cases, for I find from the Bill that the State Government shall appoint as a Judge to preside over the Tribunal any person who is or has been or is qualified under clause (1) of article 277 as a Judge of the High Court. If the Government has got to appoint a Judge of the High Court, necessarily they have to consult the Chief Justice. So there is no harm if the Government or the Minister in charge of

the Bill be good enough to accept this mild amendment of mine that while appointing the members of the Tribunal they would consult the Chief Justice. That will go a long way to remove some of the suspicion. Of course, there are other features in the Bill, which, if not removed, will still continue to breed suspicion, but one great source of suspicion will be removed if this innocent amendment is accepted by the Government. So I would request the Minister in charge to see whether he can accept this mild amendment.

[6-50—6-55 p.m.]

Sir, in clause 3(2)(b) in connection with the constitution of the tribunals it has been provided that the Judge of the Tribunal may be one who has for a period of not less than one year been a Sessions Judge or an Additional Sessions Judge. I think, Sir, this ought to be removed and instead of that only one who has been a permanent Sessions Judge or Additional Sessions Judge should be so appointed. Because if one is not a permanent incumbent of the post, if he is officiating, then he will not have the requisite experience, good deal of experience that will be necessary and in that case there will be miscarriage of justice. The Judge must have long years of experience as a Judge. That is the one reason why I have moved my amendment. There is another reason when a person has been officiating as a Judge, the presumption is that human nature being what it is, it will be rather natural for him to fall to the temptation of trying to please the executive Government instead of discharging his duties to the best of his ability conscientiously. I think therefore the Government should accept my amendment and if they do so, they will not find any difficulty about the dearth of permanent Judges. Sir, the Bill is silent over the question as to the number of the tribunals. I think it is in the contemplation of the Government to have only one such tribunal. I do not know. But if they appoint some more tribunals, still they will

not feel any difficulty about permanent Judges. I therefore request the Government respectfully to accept my amendment.

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, my amendment is that in clause 3(3), the words "the headquarters of the district within the jurisdiction of which the disturbed area happens to be situated" be substituted, instead of "such place or places as the State Government may by notification in the *Official Gazette* specify in this behalf".

Sir, my reasons are very simple. Suppose that Jalpaiguri is declared as a disturbed area. Now if the tribunal is established in Calcutta, the persons who are accused will have to come to Calcutta with their witnesses and they will be put to very great difficulties. It is for this reason that I have moved this amendment. My amendment is also consistent with the principle of fair trial, namely, immediacy; that is to say a person should be able to have the right of being tried near about the place where the offence is alleged to have been committed. So supported as it is by this principle of immediacy and because of the fact that the persons who are accused will be put to very great difficulty in travelling long distances together with witnesses I move that this amendment be accepted.

[6-55—7 p.m.]

Sj. Mohitosh Rai Choudhuri: I support the amendment wholeheartedly. Otherwise it will be miscarriage of justice to some extent. The amendment will not cause much inconvenience to the Government.

Sj. Satyendra Kumar Basu: The State Government may have to appoint as many special Judges or tribunals as the number of districts there are in the State. Therefore the question of inconvenience will not arise. In all probability these cases will be tried at the headquarters of each district. The question of distribution may arise when the offences are committed over two districts and the State Government

[Sj. Satyendra Kumar Basu.]

may have to direct that the offences committed in the districts of Hooghly and Howrah may be tried in Howrah. That is the only occasion where the State Government can come in for the purpose of giving instructions. Otherwise, if a crime is committed in Howrah it must of course be tried in the district court of Howrah. (Sj. K. P. CHATTERJEE: Will the Hon'ble Minister give an assurance that otherwise it will be tried in the district headquarters.) This is the present outline of the scheme. My friends will also remember that there is going to be a dearth of High Court Judges. You cannot transfer the High Court Judges from the High Court to the special courts. There is also the dearth of retired High Court Judges. There will also be a dearth of retired Sessions Judges. My friends will also see that we have got to appoint quite a number of officers for the purpose of dealing with this class of cases.

Now, Sir, my friends will kindly bear in mind that a Sessions Judge of one day's standing or an Assistant Sessions Judge of one day's standing or an acting or officiating Sessions Judge is capable of trying all the scheduled offences. I do not know, Sir, why so much of objection is being raised to this. Sir, all these Judges can only be appointed in consultation with the Chief Justice. The appointment is in the hands of the State Government. It cannot delegate its power and authorise the Chief Justice to appoint Judges to the Special Tribunals. Sir, there is provision in the Constitution itself and the State is bound to carry out these provisions. Article 234—Appointments of persons other than District Judges to the Judicial Service of a State shall be made by the Governor of the State in accordance with the Rules made by him in that behalf after consultation with the State Public Service Commission so that there are two safeguards. These officers can only be appointed in consultation with the State Public Service Commission and in

consultation with the High Court. That, I think, Sir, is a sufficient safeguard.

Sj. Mohitosh Rai Choudhuri: Why don't you then accept the amendment?

Sj. Satyendra Kumar Basu: It is already in the Constitution. It is wholly unnecessary. You cannot override the Constitution and the Constitution is binding on everybody.

The motion of Janab Abdul Halim that in clause 3(2), line 1, after the words "the State Government shall" the words "authorise the Chief Justice, High Court, to" be inserted was put and lost.

The motion of Sj. Mohitosh Rai Choudhuri that in clause 3(2), line 1, the following words be inserted after the words "shall appoint" namely:—

"in consultation with the Chief Justice of the High Court",

was then put and lost.

[7—7.5 p.m.]

The motion of Sj. Mohitosh Rai Choudhuri that for paragraph (b) of clause 3(2), the following be substituted, namely:—

"(b) has been a permanent Sessions Judge or Additional Sessions Judge",

was then put and lost.

The motion of Janab Abdul Halim that in clause 3(2) (b), line 1, for the words "one year" the words "five years" be substituted, was then put and lost.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 3(2), lines 2 to 4, for the words beginning with "such place" and ending with "in this behalf" the words "the headquarters of the district within the jurisdiction of which the disturbed area happens to be situated" be substituted, was then put and lost.

The question that clause 3 do stand part of the Bill was then put and agreed to.

Clause 4.

Sj. Nirmal Chandra Bhatta-charyya: Sir, I beg to move—

Mr. Chairman: I think there is a mistake in printing in your amendment. I think it should be proviso to clause 4(2).

(SOME HONOURABLE MEMBERS: Clause 4(1) seems correct.)

Sj. Nirmal Chandra Bhatta-charyya: Sir, I beg to move that the proviso to clause 4(1) be deleted.

Janab Abdul Halim: Sir, I beg to move that for the proviso to clause 4(1), the following proviso be substituted, namely:—

“Provided that all such trials by a Tribunal shall be with the help of a Jury.”

Sj. Nirmal Chandra Bhatta-charyya: Sir, in support of my amendment my remarks will be very brief. Sir, this is an extraordinary power and granting that an extraordinary situation is there and that a particular area is declared as a disturbed area, the scheduled offences will be tried according to the provisions of this Bill. But other offences would not be permitted to come within the purview of the Special Tribunal that is to be appointed for the purpose. Some time ago Mr. Rabindralal Sinha, who is not present here, said that offences other than scheduled offences will not come within the jurisdiction of the Tribunal. That is not really a fact. The fact is that each of the persons who are accused of the scheduled offences in the disturbed area may be tried for other offences also. This is an additional infliction. This is taking away the right of the accused concerned to jury trial with regard to offences which do not appear in the schedule. It is for this reason that I move that the proviso of clause 4(1) be deleted.

Janab Abdul Halim:

মিঃ চেয়ারম্যান, সাহাব, ডিস্টার্বড এরিয়ার যে সব জরুরী অবস্থার উদ্ভব হবে, তাব বিচারের জন্য ট্রাইবুনালে বিচারের সিদ্ধান্ত হয়েছে—এই বিলে।

এই স্পেশাল ট্রাইবুনালের বিচার হোন্ড করার সঙ্গে সঙ্গে—আমি বলছি, আমার অভিমত এই যে সেখানে যে সমস্ত গুরুত্বপূর্ণ অপরাধের বিচারের জন্য আদালতে হাজির করার পর, জুরীর দ্বারা বিচারের যে সুযোগ সুবিধা পেরে—এই স্পেশাল ট্রাইবুনালের বিচারেও সেই সব জুরীর প্ৰত্যাশ রাখা উচিত। কেননা যে সমস্ত মাদার্স বা অন্যান্য চার্জের বিচার হয়, তারা সাধারণ পেনাল কোডে জুরীর সুবিধা পায়,—সেসান কোর্টেও জুরীর সাহায্য পায়। অপরাধীদের আসামী হিসাবে বিচারের জন্য যখন হাজির করা হবে, তখন তাবা যাতে স্পেশাল জুরীর সুযোগ পেতে পারে—তার ব্যবস্থা করা হোক। একটা আমি দাবী করি এই প্রভিসানটা এ্যাড করা হোক।

[7-5—7-10 p.m.]

Sj. K. P. Chattopadhyay: Sir, I wish to say a few words in support of this amendment. I have heard quite a number of friends on the other side say that the people of this country are not fit to be jurors; they sleep as jurors; they cannot decide anything; they cannot judge evidence; so that the trial by jury should be thrown overboard. Sir, during the long history of our national movement, even before the National Congress was founded, our national leaders fought for jury system. All the great leaders of the national movement, irrespective of their political parties, supported trial by jury. Wherever Special Courts were sought to be appointed by legislation abolishing trial by jury, they opposed it very earnestly. Today after five years of transfer of power we are told that our people are unfit for serving as jurors. Sir, only two conclusions are to be drawn from that either our great national leaders who fought so long for jury trial, even before the National Congress was founded, were giving utterance to foolish thoughts and they are wise now, and therefore they want to scrap the foolishness of their criticisms, or they think that during the five years of their misrule the people have degenerated so much that they are not fit to be put in the position of jurors. I am sorry I cannot agree to either of these two conclusions. I must, therefore, press for inclusion of the amendment for trial by jurors.

Sj. Mohitosh Rai Choudhuri:

Sir, I understand that there will be division on this amendment. In that case I will remain neutral. Sir, therefore—

Mr. Chairman: It is all right. You can show your neutrality.

Sj. Mohitosh Rai Choudhuri:

Sir, I want to make some observations. I have been anxious to speak because while speaking on the circulation motion I was not given sufficient time to make all my points clear.

Mr. Chairman: Considering the lateness of the hour I would request the honourable member to be as brief as possible and to speak to the point and not repeat old arguments.

Sj. Mohitosh Rai Choudhuri: Sir, I will not be repeating them.

Sir, Jury trial has been abolished but instead of jury trial right to appeal has been given. If there were jury trial the accused would not have the right to appeal. So we have got to choose between the two—jury trial without a right of appeal on facts, or trial by Tribunal without the help of jury but with a definite right of appeal to the High Court on facts. I prefer the latter.

[7-10—7-15 p.m.]

Sir, I prefer the latter and in this I am supported by many lawyers—front rank lawyers in the High Court were consulted and they also hold the same view. At the outset I have made it clear that I am not enamoured of the virtue of jury trial.

Sj. Satyendra Kumar Basu:

Sir, the object of clause 4(I) is to prevent the accused standing two trials, one in the special court and another in an ordinary court. Obviously that will lead to inconvenience and delay. Under the Criminal Procedure Code trials of offences committed in the course of one transaction are tried by the same court. Sometimes it is permissible that the scheduled offences, major offences, are tried by the

special courts who have exclusive jurisdiction and the judges are quite competent to try these cases. I do not see any reason why the accused cannot be dealt with by the special courts. The accused will have plenty of opportunity. He will be properly charged and he will be tried on the offences.

With regard to the question of trial by jury, the Bill designedly provides that there should be no trial by jury, because the exigency requires and the object of the Bill is to shorten the trial. Gang cases cannot be tried with the aid of jury, because experience has taught us that there is bound to be intimidation and the jurors are bound to be afraid or otherwise influenced. There have been instances where police protection had to be given to jurors in the course of a trial. There have been instances also where witnesses in such cases have been actually murdered. In these cases the privilege of a trial with the aid of a jury cannot be sought. Trial by jury is not one of the constitutional guarantees given to us. It is in the gift of a State and the State can confer a right of a trial by jury and revoke it at its pleasure. Government think that in the trial of offences which have been scheduled you cannot provide for trial with the aid of jury. In fact, in Bihar they are seriously considering whether trial by jury should be altogether got rid of. If my friends have read the Supreme Court judgment they must have noticed that the Court has held that this is not an absolute right given to the accused either by the Constitution or by the State. The Bill provides expressly for appeals to the High Court on questions of facts and also on questions of law. This is a right which I consider a more valuable right and the High Court will be in a position to re-scrutinise the offences according to the right. We have not interfered with the right of habeas corpus, nor have we interfered in any way with Article 226. This Bill gives ample protection to the accused.

[7-15—7-20 p.m.]

I have at the present moment got a petition from a certain number of jurors. They are middle-class men, and they say that it is impossible for them to serve as jurors because they cannot, they say, if they have to serve as jurors, pursue their normal vocations. You will appreciate, Sir, that trial of these cases takes a very long time, over a year, over 18 months and sometimes 2 years. It is impossible to get jurors to serve in the matter of trials of these cases. Jurors are not willing to serve in cases of long trials and, Sir, what will happen? If one of the jurors is not available then the jury will have to be discharged and the trial will have to start *de novo*. It may so happen one year after the trial. Otherwise it is bound to add to the delay in the disposal of the case. In those circumstances I am opposing the amendments moved.

The motion of S_j. Nirmal Chandra Bhattacharyya that the proviso to clause 4(I) be deleted was put and lost.

[7-20—7-25 p.m.]

The motion of Janab Abdul Halim that for the proviso to clause 4(I), the following proviso be substituted, namely:—

“Provided that all such trials by a Tribunal shall be with the help of a Jury”,

was then put and a division taken with the following result:—

AYES—8.

Abdul Halim, Janab
Bhattacharjee, S_j. Durga Kinkar
Bhattacharyya, S_j. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, S_j. K. P.
Guha Ray, Dr. Protap Chandra
Prosad, S_j. R. S.
Sanyal, S_j. Charu Chandra

NOES—24.

Abdur Rashid, Janab Mirza
Bagchi, Dr. Narendranath
Bandopadhyaya, S_j. Tarakdas
Banerjee, S_j. Bankim Chandra
Banerjee, S_j. Sunil Kumar
Bhattacharya, S_j. Bijan Bihari
Chakravorty, S_j. Hriday Bhushan

Das, S_j. Hare Krishna
Das, S_j. Santi
Deb, S_j. Narasingha Malla Ugal Sanda
Dutt, S_j. Labanya Prova
Ghosh, S_j. Kamini Kumar
Guha, S_j. Prafulla Kumar
Mahanty, S_j. Charu Chandra
Misra, S_j. Sachindra Nath
Mookerjee, S_j. Kamala Charan
Mookerjee, S_j. Kali Pada
Mukherjee, S_j. Kamada Kinkar
Musharraf Hossain, Janab
Pradhan, S_j. Lakhon
Saraogi, S_j. Pannalal
Sen, S_j. Prafulla Chandra
Sinha, S_j. Kali Narayan
Sinha, S_j. Rabindralal

The Ayes being 8 and the Noes 24, the motion was lost.

The question that clause 4 do stand part of the Bill was then put and agreed to.

Clause 5.

S_j. Nirmal Chandra Bhattacharyya: Sir, I beg to move that in clause 5, line 2, for the words “without the accused being” the words “after the accused has been” be substituted.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 5, line 4, for the words “warrant cases by Magistrates” the words “offences for which the accused has been sent up for trial before a Tribunal” be substituted.

Sir, I beg also to move that the provisos to clause 5 be deleted.

S_j. Mohitosh Rai Choudhuri: Sir, I beg to move that the following proviso be added to clause 5 before the first proviso, namely:—

“Provided that the evidence collected by the police shall be examined by a Committee consisting of one independent lawyer of at least 10 years’ standing, a person who has been or is a Sessions or Additional Sessions Judge and the Public Prosecutor and the Committee must be satisfied that the case is fit for being sent to the Tribunal”.

S_j. Nirmal Chandra Bhattacharyya: Sir, the demand that I

[Sj. Nirmal Chandra Bhattacharyya.]

have made in my amendment is a very simple one. The ordinary procedure is that a person is first committed for trial and after the committal the trial begins. Now since the person is going to be tried by a special procedure according to an extraordinary law this right of being committed for trial should not be taken away. That would be adding insult to injury, if I may say so. It is for this reason that I move this amendment.

Dr. Monindra Mohan Chakrabarty: Sir, this clause brings into effect a radical change of procedure, and therefore I want to place before the House some of the remarks of the Judges of the Supreme Court when they criticised this clause as proposed in the Bill as the West Bengal Special Courts Act, 1950. I refer to the remarks of the Hon'ble Mr. Justice Fazle Ali made in the course of his judgment in the case *Anwar Ali Sarkar vs. The State of West Bengal*. Regarding the gradation of offences and the procedure the learned Judge remarks like this:—

[7-25—7-30 p.m.]

"The framers of the Criminal Procedure Code also were alive to the desirability of having a speedy trial in certain classes of cases, and with this end in view they made four different sets of provisions for the trial of four classes of cases, these being provisions relating to summary trials, trial of summons cases, trial of warrant cases and trial of cases triable by a court of session. Broadly speaking, their classification of the offences for the purpose of applying these different sets of provisions was according to the gravity of the offences, though in classifying the offences fit for summary trial the experience and power of the trying Magistrate was also taken into consideration. The net result of these provisions is that offences which are summarily triable can be more speedily tried than summons cases, summons cases can be more speedily tried than warrant cases, and warrant cases can be

more speedily tried than sessions cases. The framers of the Code appear to have been generally of the view that the graver the offence the more elaborate should be the procedure for its trial, which was undoubtedly an understandable point of view, and no one has suggested that their classification of offences for the four different modes of trial to which reference has been made is unreasonable in any sense."

I would also draw the attention of the Hon'ble Minister for Law and Justice to the judgment of Mr. Justice Mahajan. He says, "Why are they being made the subject of a law which has short-circuited the normal procedure of trial; why has it grouped them in that category and why has the law deprived them of the protection and safeguards which are allowed in the case of accused tried under the procedure mentioned in the Criminal Procedure Code; what makes the legislature or the executive to think that their cases need speedier trial than those of others like them? The only answer, that so far as I am able to see, the Act gives to these inquiries is that they are being made the subject of this special treatment because they need it in the opinion of the provincial government; in other words, because such is the choice of their prosecutor."

Sir, I would not like to elaborate more. I would only say that the radical change of procedure is not desirable and I, therefore, commend my amendment for acceptance.

Sj. Mohitosh Rai Choudhuri: Mr. Chairman, Sir. I attach the greatest importance to the amendment which I have moved. One great objection to the shortened procedure which is proposed to be adopted in this Bill is that it will open the flood-gate of oppression from the police. I know that the committal procedure involved delay but there was one redeeming feature in it. At the preliminary stage the trying magistrate, particularly if he was honest and god-fearing, could check the wrong and dishonest evidence collected by the police to put the accused on trial and inflict

upon him a punishment which he does not deserve. But, Sir, under this new Bill which is going to be made a law this check will not be there. The police will have the right to send direct to the Tribunal all sorts of cases. An hour ago my friend Professor Kshitish Chattopadhyay related stories of oppression on the part of the police. Sir, it is not always due to the wickedness of the police that bad cases are sent up for trial. Sometimes it is due to the muddle-headedness of the police, even where the police is not dishonest. They cannot understand which kind of evidence will stand scrutiny by an impartial Judge.

[7-30—7-35 p.m.]

Sir, the result would be all sorts of cases will come up in which either the police honestly will believe in their muddle-headedness that the accused will be convicted or the police might have collected evidence with the dishonest intention to harass the accused. All these kinds of offences will be sent up for trial and the result will be that Government's intention to get speedy trial will not be attained in all cases. The main object of the Bill will be thus frustrated. In many cases the accused will be put to harassment. So I think that there should be some arrangement to check and scrutinise the evidence so that only proper cases may be sent up for trial. I have proposed therefore that before a case is sent up for trial to the tribunal there ought to be a competent body, an impartial body who will examine the offences with a view to see whether they will secure conviction. In other words my amendment proposes to set up a machinery which will be a substitute for the commitment stage. If there is no such committee as I propose then the police will bring all the cases before the District Public Prosecutor and try to have them passed on to the Tribunal and it is extremely difficult for the Public Prosecutor to resist the demands of the police. So, whenever an overzealous police officer will bring a case to the Public Prosecutor and will insist on the

case being sent up to the tribunal, the Public Prosecutor will yield and the result will be that bad cases being sent up for trial, either the accused will be harassed or justice there will be delayed. Therefore I propose that there should be an Advisory Committee just in the case of detention, as a sort of preliminary check.

Sj. Satyendra Kumar Basu: Sir, I am sorry I cannot accept any of the amendments. All the charges have got to be tried according to the scheme contained in the Bill by the same court. There are two procedures—one is with regard to warrant cases and the other is about sessions trial. We have adopted a simplified procedure just between the two, namely, that of warrant cases. You cannot apply two types of procedure in trying one case.

[7-35—7-40 p.m.]

We have excluded trial by jury, as I have said, designedly, because it is impracticable in cases of this description and the Procedure has been simplified in order to save time. Sir, I think one of my friends on the other side has objected to evidence being taken down under the provisions in Section 356. Sir, what is done is that if evidence is taken under the supervision or direction of a trying Magistrate, the magistrate also prepares a memorandum in his own hand. Taking down evidence twice over is unnecessary. That will also add to the delay and, therefore, Sir, we have provided that where evidence is taken under the supervision of the magistrate and under his directions a further memorandum need not be prepared by him. Sir, the amendment which has been suggested by my friend Sj. Mohitosh Rai Choudhuri is rather unusual. It says that the police ought to prepare the evidence and place it before one independent lawyer of at least 10 years' standing, a person who has been or is a Sessions or Additional Sessions Judge and the Public Prosecutor. That cannot be done. The Legislature has provided a certain procedure and you cannot delegate the power to a Committee

[Sj. Satyendra Kumar Basu.]

as has been suggested by my friend and that is bound to create prejudice either against the accused or against the State and there will obviously be unnecessary delay. In those circumstances, Sir, I oppose the amendment.

The motion of Sj. Nirmal Chandra Bhattacharyya that in clause 5, line 2, for the words "without the accused being" the words "after the accused has been" be substituted was put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 5, line 4, for the words "warrant cases by Magistrates" the words "offences for which the accused has been sent up for trial before a Tribunal" be substituted was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that the provisos to clause 5 be deleted was then put and lost.

The motion of Sj. Mohitosh Rai Choudhuri that the following proviso be added to clause 5 before the first proviso, namely:—

"Provided that the evidence collected by the police shall be examined by a Committee consisting of one independent lawyer of at least 10 years' standing, a person who has been or is a Sessions or Additional Sessions Judge and the Public Prosecutor and the Committee must be satisfied that the case is fit for being sent to the Tribunal",

was then put and lost.

The question that clause 5 do stand part of the Bill was then put and agreed to.

Clause 6.

The question that clause 6 do stand part of the Bill was then put and agreed to.

Clause 7.

The question that clause 7 do stand part of the Bill was then put and agreed to.

Clause 8.

Sj. Nirmal Chandra Bhattacharyya: Sir, I beg to move that Clause 8(2) be deleted.

Dr. Monindra Mohan Chakrabarty: Sir, I beg to move that in clause 8(3), line 1, for the word "shall" the word "may" be substituted.

Janab Abdul Halim: I beg to move that in clause 8(4), line 2 for the words "thirty days", the words "ninety days" be substituted.

I also beg to move that in clause 8(4), lines 3 and 4, the words beginning with "and for an appeal" and ending with "order of acquittal" be omitted.

[7-40—7-45 p.m.]

Sj. Nirmal Chandra Bhattacharyya: Sir, my amendment is that after acquittal the State Government will not have the right of appeal to the High Court. Sir, even at the risk of repetition I will say that this is an extraordinary measure and, when extraordinary measures are concerned, certain provisions have got to be made which are likely to safeguard the ordinary rights that the accused would have got otherwise. It will perhaps be said that this power vested in the Government will not be misused. It will perhaps be said also that this power exists under the present Statutes in force. Sir, in respect of the latter argument I will say that the right of appeal against an order of acquittal is there with regard to cases where the ordinary procedure is followed, but cases under this Bill will not of course adhere to the ordinary rules of procedure. Therefore this right of appeal by the Government against an order of acquittal should not be there. Sir, in respect of the argument that Government may be trusted I will say that our experience is a very bitter one. When the West Bengal Security Act was being discussed on the floor of the old Legislative Assembly it was promised on behalf of the Government that that would not be employed for political purposes. But soon

after the Act came into force we found that it became an instrument of tyranny in the hands of the Congress Government. It is for this reason that we cannot trust this Government. Taking for granted that this Government is trusted, where is the guarantee that other Governments taking its place will not take advantage of this Act and try to do things which today are not in the minds of the Hon'ble Minister in charge of Law and Justice?

With these words I support the amendment that stands in my name.

Dr. Monindra Mohan Chakrabarty: Sir, my amendment is a simple one and my task is lessened by the fact that a linguist of your reputation is occupying the Chair. The Bill as was presented to the Assembly read that the appeal under this section may lie on a matter of fact as well as on a matter of law. In trying to improve upon this the clause has been made to read like this: an appeal under this section shall lie either on a matter of fact or on a matter of law or on both. I cannot understand how can you ask the appellant that his appeal should lie on a matter of fact and on a matter of law together. So, I point out this irrelevancy. Sir, I think my amendment is quite justified.

[7-45—7-50 p.m.]

Janab Abdul Halim:

মিষ্টাব চেয়ারম্যান, স্যার, বিশেষ অবস্থায় স্পেশাল টাইবনালের যে সমস্ত আসামীরা বিচার থেকে অব্যাহতি পাবেন, তাদের বিরুদ্ধে আপীল করা চলেবে না। কেননা মাননীয় জুডিসিয়াল মিনিষ্টার বলছেন—বিশেষ জরুরী অবস্থায়—যাদের বিচার হবে, সেখানে তাদের জুরীর বিচারের সুযোগ দেওয়া হবে না। তাই যদি হচ্ছে আসামীরা স্পেশাল টাইবনালে সুবিচার পাবে। সেক্ষেত্রে বিশেষ অবস্থাতে অভিজ্ঞ জাজেরা যাদের মর্জি দেন—তার উপরে নতুন করে আপীল না হয় বা আপীল করা যুক্তিসঙ্গত হবে না। আমি বলছি এখানে জুরী বিচারের ব্যবস্থা করা হোক। এক্ষেত্রে এই আইনের প্রয়োজন নাই—এবং সেক্ষেত্রে আসামীরা যদি নিরপরাধ প্রমাণিত হয়ে মর্জি পায়, সেখানে এ্যাকুইটলের বিরুদ্ধে আপীল হওয়া যুক্তিসঙ্গত নয়। সেই সঙ্গে আমি বলছি—যারা অভিযুক্ত হবে, সাজা পাবে, তাদের আপীলের সময় ৩০ দিনের পরিবর্তে ১০ দিন করা হোক। আশা করি মন্ত্রী-মহাশয় আমার এ্যামেন্ডমেন্টটি মেনে নেবেন।

Sj. Satyendra Kumar Basu: Sir, I do not accept the amendment proposed. The same rights have been given to both, viz., the accused and the State. The word "shall" has been introduced in order to remove any doubt which may arise and provision for appeal has been made mandatory. Thirty days are quite a reasonable time. Under the law in a case of death sentence the period of appeal is only seven days. Under Article 155 the period is sixty days. Thirty days are quite reasonable and that is the period which has been allowed to the appellant whether it is the accused or the State.

The motion of Sj. Nirmal Chandra Bhattacharyya that clause 8(2) be deleted, was then put and lost.

The motion of Dr. Monindra Mohan Chakrabarty that in clause 8(3), line 1, for the word "shall" the word "may" be substituted, was then put and lost.

The motion of Janab Abdul Halim that in clause 8(4), line 2, for the words "thirty days" the words "ninety days" be substituted, was then put and lost.

The motion of Janab Abdul Halim that in clause 8(4), lines 3 and 4, the words beginning with "and for an appeal" and ending with "order of acquittal" be omitted, was then put and lost.

The question that clause 8 do stand part of the Bill was then put and agreed to.

Clause 9.

The question that clause 9 do stand part of the Bill was then put and agreed to.

Clause 10.

The question that clause 10 do stand part of the Bill was then put and agreed to.

Clause 11.

The question that clause 11 do stand part of the Bill was then put and agreed to.

Clause 12.

The question that clause 12 do stand part of the Bill was then put and agreed to.

[Sj. Satyendra Kumar Basu.]

Clause 13.

The question that clause 13 do stand part of the Bill was then put and agreed to.

The Schedule.

8j. Mohitosh Rai Choudhuri:

Sir, I beg to move that item 1 of the Schedule be deleted.

8j. Mohitosh Rai Choudhuri:

Sir, I am not enamoured of the jury trial but Government should know and, Sir, you know that there is a large volume of public opinion in favour of jury trial.

[7-50—7-55 p.m.]

Therefore, Sir, when the Government is curtailing the right of jury trial in some cases while retaining the same in other cases, the motive of the Government is liable to be suspected. This will occur specially in those offences which are against the State. In the schedule I find that the first set of offences which are triable under this new Bill about to be enacted into law within half an hour's time, are the offences against the State. Now in the case of offences against the State in particular the executive Government is more directly interested than in other cases. Of course, in one sense the executive Government is interested in all cases of crimes. In the interest of law and order, for the peace and tranquillity of the province, Government should be interested in the suppression of all crimes but they are interested most in the offences against the State because these offences are directed against the very existence of the State. Therefore, Sir, I think these cases should not be taken out of the Criminal Procedure Code permanently and handed over to the tribunal to be tried under a new procedure which will not be popular. I know although under this procedure there will not be any jury trial, there will be right of appeal to the High Court as regards facts and on points of law and between the two I prefer the abolition of the jury trial with a right to appeal to the

High Court on facts. But Government apparently are not of the same opinion. They have made a distinction between cases and cases. They think that in some cases abolition of jury trial is good while in the other cases it is not good. This is, I say, where they are wrong. They don't realise that on the trial of crimes there must be some uniform procedure, that they should be logical, they should be consistent and in order to be above suspicion they should apply the same procedure in all cases. However when they are of the opinion that jury trial should be retained in some cases, to avoid the charge of vindictiveness they should take away the offences against the State from the purview of the new Bill and allow them to be tried by Jury.

[7-55—8 p.m.]

Besides there is another reason why this should be so. In the case of offences against the State, everybody is interested as everybody ought to be interested in the suppression of crime against the State. Waging war against the State may be approved by the revolutionaries but the vast majority in the country do not share the view of the revolutionaries. Everybody is equally interested in the suppression of crime against the State. Therefore Government should not think that if these cases are tried by jury there will be miscarriage of justice. The jury like the Government will be equally interested in seeing that no injustice is done, that the accused are not either acquitted wrongly or let off with light punishment. So, Government should not have any objection to the acceptance of this amendment and the accused in that case will have the satisfaction to see that although they have plotted or have been suspected of plotting against the Government or the State their guilt or innocence has been considered dispassionately by the members of the public, their own compatriots, their own peers. Therefore, I think, Sir, that this amendment ought to be accepted by the Government for varieties of reasons. I am sorry

that my friend Mr. Annada Prosad Choudhuri who is the other person who proposed the same amendment is absent here. But had he been present here he would have argued on the same lines, I believe. Of course in his earlier speech he gave a hint of it. So I would request my friend Mr. Basu to see, of course if he has a free hand in the matter, if he can accept the amendment.

Sj. Satyendra Kumar Basu: I am sorry I cannot oblige my friend. I can assure him that I have a free hand in the matter.

The motion of Sj. Mohitosh Rai Choudhuri that item 1 of the Schedule be deleted was put and lost.

The question that the Schedule do stand part of the Bill was then put and agreed to.

Preamble.

Mr. Chairman: The amendment to the preamble is out of order because the Schedule as it is in the Bill has been carried.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Sj. Satyendra Kumar Basu: Sir, I beg to move that the Tribunals of Criminal Jurisdiction Bill, 1952, as settled in the Council, be passed.

Sj. Nirmal Chandra Bhattacharyya: Sir, in opposing the third reading my remarks will be very brief indeed. I have been elected to this House by the Calcutta Graduates Constituency. I have had the opportunity of discussing the salient features of the Bill with important members of my constituency, people who have distinguished themselves as teachers as medical men, as lawyers and engineers. I have had the opportunity of discussing it with humbler persons working in the offices and I have not met a single person who supports the provisions of this black Bill. Sir, the press has expressed its opinion in unmistakable terms. Representative, public organisations, have also expressed their views. I do not know

of any organisation outside the Congress circles that has lent support to this measure of oppression.

[8—8.5 p.m.]

Sir, the law that is before us should not be permitted to pass through the Third Reading without a challenge, because we know it for certain that the vast majority of the people of our country are against it. It may be demanded by a small section, an infinitesimal section of the community, but the vast majority of the people who are lovers of peace, who have played a glorious part in the fight for freedom are definitely against it. My friends opposite perhaps think that a country can be governed by means of repressive laws. The lessons of history are entirely different. They will not perhaps listen to what history teaches. One of the causes of the fall of the tyrannical French monarchy, was the system of unfair trial that was imposed upon the people by the despotic monarchy of France. One of the causes of the fall of Stuart despotism was the institution of, not only the institution, but also taking resort to extraordinary tribunals like the Star Chamber and the High Commission. But our friends opposite will not learn. They will, it appears to me, land our country in difficulty by piling repressive laws upon repressive laws. On behalf of the Opposition we sound a note of warning and in the name of the people we tell them that they will have to answer for their conduct before the bar of the people one day and that day is not far distant. Sir, great State policies and little minds go ill together. The policy that has been adopted by the Congress today is not the policy that any liberty loving people would do. It has been imposed upon the people in the teeth of popular opposition, and the Government will have to face the consequences.

[8.5—8.10 p.m.]

Janab Abdul Halim:

মিস্টার চেয়ারম্যান, স্যার, আমি এই বিলের তীব্র প্রতিবাদ না করে পারি না। গভর্নমেন্টের পক্ষ থেকে যে সমস্ত যুক্তি এই বিলের সমর্থনে দেখান

[Janab Abdul Halim.]

হয়েছে, সেই ব্যক্তি সম্পর্কে কিছু আমি বলতে চাই। গভর্নমেন্ট বলেছেন এই বিলের দরকার দেশের শান্তি, বিজ্ঞানসূচী ও ইন্ডাস্ট্রির শান্তি রক্ষার জন্য। সেখানে যে সমস্ত অপরাধ হবে তার তাড়াতাড়ি বিচার করবার জন্য এই বিলের দরকার। আমি জানি এই বিল কি উদ্দেশ্যে আনা হয়েছে। এই বিলের উদ্দেশ্য হচ্ছে দেশের গণতান্ত্রিক মূল্যবোধ ধ্বংস করা, শ্রমিক ও মজুরের ট্রেড ইউনিয়ন মূল্যবোধ দমন করা। কলকারখানার মজুর যদি তাদের দাবীদাওয়া নিয়ে আন্দোলন করে, তাহলে মালিকরা লক-আউট ডিক্লেয়ার করে সরকারের সহায়তায় সেটা দমন করতে পারবে। বিশেষ এক শ্রেণীর ধনিকদের স্বার্থ রক্ষা করবার জন্য এখানে এই বিলের উদ্ভব হয়েছে। এ্যাংলো-আমেরিকান ধনিক শ্রেণীর যে সমস্ত কারবার এদেশে রয়েছে, সেসব রক্ষা করবার জন্য এই বিল আনা হয়েছে। জুটমিল, ট্রামওয়ে কোম্পানী যাদের আরও বেশ বছরের জন্য এদেশকে শোষণ করবার অবাধ অধিকার দেওয়া হয়েছে—তাদের স্বার্থ রক্ষা করবার জন্য এই বিল আনা হয়েছে। টাটা থিরলা বুজেরিয়া শ্রেণীর স্বার্থ রক্ষার জন্য এই বিল আনা হয়েছে। কিন্তু শ্রমিক মজুরদের স্বার্থ রক্ষার জন্য কোন বিল এখানে আনা হয় না। তাদের জন্য যে সমস্ত স্পেশাল ট্রাইব্যুনাল হয়েছে, সেখানে তিন বছর ধরে মামলা চলে, কোন সুরাহা হয় না, সেখানে দিনের পর দিন তাদের মামলা কলছে। গরীব শ্রমিক খেতে পায় না, তাদের মামলা ট্রাইব্যুনালে পাঠান হয়। আর গভর্নমেন্টের নিযুক্ত স্পেশাল জজ তিন বছর ধরে সে মামলার বিচার করতে পারেন না। শ্রমিকরা না খেয়ে মরে, তবু তাদের বিচার হয় না। সেখানে বিচার স্বরাস্ত করা যায় না। আমরা জানি ইংরেজের আমলে যখন এংলোসননী শাসন প্রবর্তিত ছিল, সেই সময় রিপ্রেসিভ ল' তাঁরা করেছিলেন, স্বাধীনতা কামী তরুণদের ও যুবকদের ইন্ডিয়ান পেনাল কোডেব ১১৯, ১২০, ১২১, ১২১এ, ১২২ বিভিন্ন ধারায় তাদের বিচার করেছেন। চট্টগ্রাম ষড়যন্ত্র মামলা, টিটাগড় কন্সপিরাসী কেস, এই অভিযোগে তাদের স্পেশাল ট্রাইব্যুনালে বিচার করে দেশের এইসব স্বাধীনতাকামী যুবকদের ফাঁসী কাটে বুলান হ'ত, আন্দামানে পাঠান হ'ত। সেই সময় তাদের জেলে নির্বাসিত করা হ'ত। ইংরেজের আমলে এই স্পেশাল-ল' ব্যবহার হয়েছে গত চার বছরে আমরা শুন্যে আসছি আমরা নাকি স্বাধীনতা পেয়েছি। তারপর অনেক স্পেশাল-ল' পাশ হয়েছে। এর দ্বারা তাঁরা গরুর দাংগা হাঙ্গামা দমন করবেন। আমরা পূর্বে দেখেছি যে সমস্ত স্পেশাল আইন হয়েছে, তা সমস্তই বিরোধী দলের বিরুদ্ধে প্রয়োগ করা হয়েছে। ইউনিয়নের কমী, রাজনৈতিক কমী, যারা জনগণের মধ্যে কাজ করে, কৃষকদের মধ্যে কাজ করে, তাদের বিরুদ্ধেও এই সব বিল ব্যবহার করা হয়েছে। তাঁরা বছরের পর বছর বিনা বিচারে আটক করে এদের জেলে রেখেছেন। যখন শ্রমিকে আন্দোলন করেছে, খাদের দাবী নিয়ে সভা-শোভা যাত্রা করেছে, তাদের গুলি করে হত্যা করা হয়েছে। এই কলকাতা সহরে রাস্তার উপরে নিরীহ নরনারীকে গুলি করা হয়েছে, দেশের মহিলাদের হত্যা করা হয়েছে, শ্রমিকদের কৃষকদের গুলি করে হত্যা করা হয়েছে। কিন্তু সেই সমস্ত হত্যাকারী কাপুরুষদের বিচারের জন্য কোন আদালত, কোন ট্রাইব্যুনাল বসান হয় নি।

মিষ্টার চেয়ারম্যান, স্যার, আমি জিজ্ঞাসা করি চাষী-কৃষকদের হত্যা করার, তাদের ট্রেড ইউনিয়ন আন্দোলন দমন করবার ও পলিটিকাল আন্দোলন ধ্বংস করবার অধিকার তাঁরা পেলেন কোথা থেকে? পলিটিসিদের সমস্ত স্বার্থ রক্ষা করবার জন্য গভর্নমেন্ট তাদের পলিশী বর্বরতার তাড়বনতা দেখিয়েছেন—এই গত কয়েক বছরে।

গভর্নমেন্ট দেখাচ্ছেন—দেশে ডিক্টারব'ড এরিয়া কবে হবে কি না হবে ঠিক নাই, তবুও তখনকার সমস্ত অপরাধের বিচারের জন্য এখন তাদের স্পেশাল ট্রাইব্যুনাল করার দরকার। দেশে যদি অশান্তি আসে, তারজন্য তো পেনাল কোড রয়েছে; জজ রয়েছে, জেলায় জেলায় ম্যাজিস্ট্রেট রয়েছে, সেসন জজ, এডিগন্যাল সেসন জজ রয়েছে, হাইকোর্ট রয়েছে, সুপ্রীম কোর্ট রয়েছে, সেখানে সেসমস্ত অপরাধীর বিচার হতে পারে। তারজন্য এই ট্রাইব্যুনালের প্রয়োজনটা কি? মাননীয় প্রধান মন্ত্রী মহাশয় সোঁদন বলেছেন—দেশ বেশ শান্তিপূর্ণ অবস্থায় রয়েছে। কলকারখানায় ট্রেড ইউনিয়ন আন্দোলন হচ্ছে। দেশের জনসাধারণ অশান্তি চায় না, তারা হাঙ্গামা চায় না, তারা পরা চায় তারা রুটি চায়, কাজ চায়। আর কিচ্ছু চায় না। তারজন্য তাবা কোন হাঙ্গামা করতে চায় না, যার জন্য এইরকম একটা বিলের প্রয়োজন হতে পারে।

এই বিলে প্রতিশান করা হয়েছে, যে যখন কারখানায় শ্রমিক ধর্মঘট হবে, যখন মালিক লক-আউট ডিক্লেয়ার করবে, তখন যেসব মামলা দাংগা হাঙ্গামা, রায়টিং চার্জে প্রসিকিউশনের জন্য পাঠান হবে, সেই সব কেসের বিচার করবার জন্য এই স্পেশাল ট্রাই-বুনালের প্রয়োজন আছে। কারখানার শ্রমিকও যদি সেই চার্জে অভিযুক্ত হয়, তারও সেখানে বিচার করা হবে; কোর্টে পাঠান হবে। সেখানে তারা জুরী ট্রায়াল থেকে বঞ্চিত হবে। বৃটিশদেরও আমাদের দেশে স্বাধীনতা আন্দোলনকে দমন করবার জন্য এগুলির প্রয়োজন হয়েছিল। কিন্তু এই বিলের উদ্দেশ্য হচ্ছে এ্যাংলো-আমেরিকান ইন্টারেস্ট ও বিজনেস স্বার্থকে রক্ষা করা। তাব স্বার্থের প্রয়োজনে এই বিলের প্রয়োজন হয়েছে। গভর্নমেন্টও জানেন এইজন্য বিচার স্বরাস্ত হওয়া দরকার। কিন্তু আমাদের হাজার হাজার লোককে বিনা বিচারে বছরের পর বছর গভর্নমেন্ট জেলে আটকে রেখেছেন। এখনও তাদের বিচার হচ্ছে না। মার্ভাব, চুরি, ডাকাতির আসামীবাও জেলে রয়েছে—যারা সোম্যাল জাইম করেছে তারাও জেলে পড়ে রয়েছে। তাদের বিচাবও স্বরাস্ত করা হয় নাই। বিশেষ একটা শ্রেণীর জনা—বিশেষ আন্দোলন দমন করার জন্য এই বিল আনা হচ্ছে।

আমার জীবনের বেশ বছর জেলে কেটেছে। মাননীয় মন্ত্রীমহাশয় জানেন তাঁদের সঙ্গে আমি কাজ করেছি। জেলে ক্রিকম অত্যাচার হয়, বিনা বিচারে জেলে আটক রাখা হয়—তাদের বিচার স্বরাস্ত হয় না কেন? দেশের সত্যিকার স্বার্থরক্ষার জন্য যে সমস্ত মামলা করা দরকার, সেই সমস্ত মামলার বিচারও তাড়াতাড়ি করা হয় না। লেবার ট্রাইব্যুনালে যে সমস্ত মামলা কলছে, তার বিচার তো স্বরাস্ত করা হয় না। আমি জানি গভর্নমেন্ট আমাদের নগণ্য অপজিশন উপেক্ষা করেই তাদের সংখ্যাধিকা ভোটার জোরে এই বিল পাশ করিয়ে নিবেন। তাঁদের

উদ্দেশ্য এর একটা কমা, সেমিকোলনও তারা উঠাবেন না। তারা মেজরিটী ভোটে জোরে এই বিল পাশ করবেন, আপনারা জানেন। তারা পিপুলের শতকরা ৩৮ জনের ভোটের জোরে এখানে এসেছেন।

‘A VOICE: What per cent.?’

৩৮ পারসেন্ট ভোটের জোরে আপনারা এখানে এসেছেন। যখন দেশের জনসাধারণ শান্তি চায়, খাদ্য চায়, তারা হাঙ্গামা চায় না, তখন তাদের টায়ার গ্যাস দিয়ে, লাঠী চার্জ করে, ১৪৪ ধারা জারী করে তাদের দমন করা হয়। ইতিহাস জানে এই সমস্ত দমনমূলক আইন ম্বারা দেশ শাসন করা যায় না। হিটলার মুসোলিনী তারা এই সমস্ত আইন ব্যবহার করে ইতিহাস থেকে মুছে গেছে, তোজো মুছে গেছে। আর ওদিকে বাওদাই, কুহরিনো—এঁদের স্বাধীনতা আন্দোলনকে দমন কবাব চেষ্টা করছে, তারাও ইতিহাস থেকে মুছে যাবে। আপনারা যদি এই বিল পাশ করে নেন তাহলে আমরা জনমত উদ্ভূত করে এই বিলকে ছিঁড়ে ফেলবো।

[8-10—8-15 p.m.]

Sj. Narendranath Bagchi: Sir, I am at a loss to understand what my friends opposite are actually advocating. A category of offences has been specified in this Bill—offences which are heinous in character. Certainly nobody here wants that we should yield to the law of the jungle. We, legislators are for an ordered society, civilised society. Sir, the law is there to expedite trials. Every crime has got its merits and demerits and it will be tried accordingly. But from the speeches just now delivered we cannot find out what the members opposite actually want. Do they want that coercion, violence should go on. Sometimes we find police in a helpless state. Innocent people cannot go on with their work. We all remember what happened during the hartal days. The shopkeepers were asked to close their shops and if there were any who did not want to close their shops they were very roughly treated and their shops were looted. (Cries of “question”, “question” from the Opposition Benches). You may go on shouting “question”, “question”, but this is my experience. Sir, why a person should be tied in the corner of his house and should not be allowed to come out in the street and go on with his own avocation? During the hartal you might have seen a pack of persons going about shouting “close the shops” and so

on. People were not allowed to board a tram or a bus. There were many apprentices going to the workshops they were prevented. There were examiners going to examine their papers, they were prevented from going. In every thing there was this obstruction. How can a person tolerate all these things?

[8-15—8-20 p.m.]

Now if this is the order of things my friends opposite would like to come on our country of course we leave them to their own thesis. But for a civilized society certainly we don't like that there should be the law of the jungle prevailing in our State. When you talk of freedom of one section you should think of the freedom of other sections as well. I must be allowed untettered to pursue my own line of action but there is interference and nobody knows how far it will go and where it will stop. Now with so much oppression committed by one section of the people look at the way the Congress administration has been carried on during these years. Of course you may say that some people have been kept in detention but I will say that the other day there was the declaration that not a single political prisoner is there in detention. (Cries of “Question, Question”.) Well, it was declared on the floor of this House (A VOICE FROM THE OPPOSITION: No, No.) (Sj. NIRMAL CHANDRA BHATTACHARYYA: There are 45 R.C.P.I. prisoners and one Forward Bloc prisoner still in jail.) (Sj. K. P. CHATTERJEE: There are nearly 50 politicals still.) They are not political prisoners, I understand. I am open to conviction if I am wrong but the thing is that there are not too many in the jails rotting as has been made out by some to be believed by us. A picture has been given as if a lot of killing is going on in the country, as if there is another peasant rising to protest against the way of work of Government, and as if political opponents are being killed or detained. But that is not the actual picture. I should say that the people are being treated too very

[Sj. Narendranath Bagchi.]

leniently and for an ordered society this leniency has got to be curbed.

Sj. Charu Chandra Sanyal: Sir, when the discussion on this Bill was going on some questions arose in my mind and I think it is time to speak them out. About crimes my friends opposite said that there were murders, there were lootings and robberies, &c. and they must be prevented and a machinery for speedy trial must be set up. Quite so. But, Sir, when the Rowlatt Committee sat, the Sedition Committee Report said that cases of murders, cases of political murders and dacoities were rampant throughout India and that to protect the law-abiding people from such atrocities an extraordinary Act was needed which was called the Rowlatt Act and that Act was seriously opposed by the Congress in spite of the Report of the Sedition Committee. So, Sir, it is not always the fact. There may be one or two murders; there may be one or two dacoities but why should the whole population be punished by some extraordinary measure and in this (I repeat what Mahatmaji said once) I find "unmistakable symptom of a deep-rooted disease" in the government and that deep-rooted disease developed into something else for which the British Government had to go. At least steps must be taken to diagnose the disease and to cure it so that the same fate may not come over the present Government.

[8-20—8-25 p.m.]

It is always the rule that a strong man does not require any bodyguard. Weaklings require many bodyguards to protect them, and I hope the present Government should get rid of the deep-rooted disease and would be strong and get rid of all these extraordinary powers in the shape of bodyguards. I hope the sooner the bodyguards are off, the better for the people and the better for the Government.

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, our friends opposite in trying to support the Bill have

tried to make out that we on this side have spoken supporting arson, murder, looting, and so on. I began to wonder after listening to some of the speeches whether they were just repeating the charge-sheets of the Special Branch. We have certainly not supported any such thing. What we said was that such false charges are brought in numerous cases against people who try to stand up against injustice. I gave not one but a large number of specific cases, but, Sir, they seem to have put on plated armour and facts rebound against them. It is not within our power to shake them up, but that revolution about which they talk, that will finally shake them up. There is no other way. I will give you some examples of false charges. In the old days, as you know, they were made. There is an Hon'ble Minister and he was once accused of bad livelihood. Well, I do not think it was a correct charge. Charges have been made similarly of all kinds against people who are sought to be brought before these tribunals. In the area of Sonarpur a member of the Civil Liberties Committee in 1948 was arrested. Why? We found that he had been trying to stop black-marketing. I represented, on behalf of the Civil Liberties Committee, the actual facts. After three months he was released. The police charge had been that he had something to do with robberies, etc. That is the kind of thing, wonderful charges, and that is the kind of law of the jungle you have. Our friends on the other side have said that there has been a tremendous amount of change since transfer of power took place, and therefore we should not put forward the same arguments as we did before under British rule. Well, Sir, the precedents of things done under British rule have been quoted for presenting this Bill. It was said on the floor of the House that in 1942 there was a law like this; subsequently also under British rule there was a law like this; so the people of this country are accustomed to these things. Yes, we are accustomed for a long time to be put in jail without trial, to being beaten up when

we stood up for rights and to hundred other ills. We are accustomed to exploitation, we protested against that. But that does not justify such thing being done just now when it is claimed that we are free. How far we are free and how far the privileges have been kept are open to question. In the famous resolution of 1942 it was said that the "National Government to be set up would devote"—I am quoting from that resolution, Sir, itself—"to the welfare of workers in fields, factories and elsewhere to whom all power must essentially belong". I wonder whether any on the other side are workers in fields and factories because the power belongs to them. That is how the change has come about. We on our side object to the law of the jungle. Many of our friends on the opposite side protested against the terrible things that were done in Bara-Kamalapur when women were assaulted, children were killed, etc. At that time Sri Promode Sen Gupta and some representatives of the Civil Liberties Committee and other gentlemen went to the spot.

[8-25—8-30 p.m.]

What about the Dubergheri case? What was the justification for killing women in Chandanpiri and elsewhere? Sir, innocent people were shot at at Hasnabad when they were trying to stop blackmarketing by a big jotedar who was carrying rice in a boat. The people wanted the Police to take charge of the rice but still they had to suffer. Why was there no action taken? Did they protest against the firing in Calcutta. Did they protest against the killings in jail. Over a hundred people were killed in three years. The record is worse than it was under the British rule. It is no use pointing to the Dum Dum case. Nobody supported the Jessop case. After all they have all been tried and sentenced to long terms of imprisonment. They have been punished. It is flogging a dead horse. The Hon'ble Minister who has introduced the Bill may naively believe that it would be used for good purpose. Surely he must have

seen when famine-stricken people came to Calcutta crying for bread and they got *lathi* charges and wounds on their body. If starving people are given this sort of treatment, then if power is given to them under this Bill they will certainly misuse it.

Sj. Satyendra Kumar Basu: Sir, my friend Janab Abdul Halim has complained of delay in certain cases to which he referred. That complaint is a very strong argument in support of this Bill. The main object of the Bill is to speedily dispose of big crimes. There is no question of Star Chamber. I see no ground for any apprehension at all. The scheme of the Bill is that charges will be framed. There will be evidence as usual in other courts. Evidence will be weighed and the Judge will have to decide on the actual evidence which is placed before him. Not only that there is an additional protection given to the accused in this Bill. He has the right to take the whole matter to the High Court and have the entire evidence scrutinised apart from any question of law that may be available to his advantage. The Bill has not in any way interfered with any right which the accused has under the Code, viz., he has right under section 491 of the Code to apply for a writ in the nature of habeas corpus. In the Sourashtra case I have noticed they have excluded that right—they have taken away that right from the accused. Then he has also the right under article 226 of the Constitution to apply for high prerogative writs of the High Court. I do not see how he is prejudiced in any way at all.

[8-30—8-35 p.m.]

Sir, it is the duty of every Government whichever party forms it to give fullest protection to the people and also to protect the property. Government will be failing in its duty if it is unable to give protection. There are in existence in the state gangs; these gangs operate and frequently commit crimes. It is necessary for the state promptly to bring the culprits to

[Sj. Satyendra Kumar Basu.]

book to prevent a recrudescence of offences and this can only be done by legislation.

The motion of Sj. Satyendra Kumar Basu that the Tribunals of Criminal Jurisdiction Bill, 1952, as settled in the Council, be passed was then put and a Division taken with the following result:

AYES—24.

Abdur Rashid, Janab Mirza
Bagchi, Sj. Narendranath
Bandopadhyaya, Sj. Tarakdas
Banerjee, Sj. Bankim Chandra
Banerjee, Sj. Sunil Kumar
Bhattacharya, Sj. Bijan Bihari
Chakravorty, Sj. Hriday Bhueson
Das, Sj. Hare Krishna
Das, Sj. Santi
Deb, Sj. Narasingha Malla Ugal Sanda
Dutt, Sj. Labanya Prova
Ghosh, Sj. Kamini Kumar
Guha, Sj. Prafulla Kumar
Guha Ray, Dr. Protap Chandra
Mahanty, Sj. Charu Chandra
Misra, Sj. Sachindra Nath
Mookerjee, Sj. Kamala Charan
Mookerjee, Sj. Kali Pada
Mukherjee, Sj. Kamada Kinkar
Pradhan, Sj. Lakhan
Saraogi, Sj. Pannalal
Sen, Sj. Prafulla Chandra
Sinha, Sj. Kali Narayan
Sinha, Sj. Rabindralal

NOES—7.

Abdul Halim, Janab
Bhattacharjee, Sj. Durga Kinkar
Bhattacharyya, Sj. Nirmal Chandra
Chakrabarty, Dr. Monindra Mohan
Chattopadhyay, Sj. K. P.
Prossad, Sj. R. S.
Sanyal, Sj. Charu Chandra

The Ayes being 24 and the Noes 7, the motion was carried.

[8-35—8-38 p.m.]

Mr. Chairman: Honourable Members, I have got to make an announcement and that is in connection with a change in the programme. In the programme as

already circulated it has been shown that certain Reports and Regulations will be laid before the Council on the 29th of July but there is no other business for that day. The presentation of these papers will not take more than 5 minutes. So, I do not think that members should take the trouble of attending on that day. I understand from the Government that there is likelihood of their bringing up certain Bills for the consideration of this House after the 4th August next. The Council may therefore have its sitting on the 6th August, and on subsequent days, if necessary. The Bills, I am told, are small Bills and if they are brought up, these will be circulated to the members for sending in their amendments and I would request the members to accept them at short notice, as the Bills, so I understand, are not very controversial and are not long. The House will therefore stand adjourned till the 6th August next at 10 a.m.

Adjournment.

The Council was then adjourned at 8-38 p.m. till 10 a.m. on Wednesday, the 6th August, 1952.

Members absent.

The following members were absent from the meeting held on 26th July, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Bose, Sj. Subodh Kumar.
- (3) Mukherjee, Sj. Debendra Nath.
- (4) Nahar, Sj. Bijoy Singh.
- (5) Roy, Sj. Surendra Kumar.
- (6) Sarker, Sj. Pranabeswar.

COUNCIL DEBATES

Wednesday, the 6th August, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Wednesday, the 6th August, 1952, at 10 a.m. being the 15th day of the First Session of 1952, under the Constitution of India.

Mr. Chairman (Dr. SUNITI KUMAR CHATTERJI) was in the Chair.

Questions

(to which oral answers were given)

Affairs of the Singhee Union Board in the district of Birbhum.

[10—10-10 a.m.]

5. Janab Abdul Halim: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

- (a) is the Government aware that people of Singhee Union of Birbhum district petitioned to the district authorities and State authorities against the President of the Union for maladministration and misappropriation of money;
- (b) is it a fact that Circle Officer enquired the matter and found the allegations as true;
- (c) if the answers to (a) and (b) are in affirmative, why no action has yet been taken against the President;
- (d) is it a fact that district authorities have stopped the grant of Rs. 300 to "Age Chalo Sadharan Pathagar" on the application of the President of the Union Board after sanction; and
- (e) if so, what action Government proposed to take in the matter?

Minister-in-charge of the Local Self-Government Department (Sj. Iswar Das Jalan): (a) Yes.

(b) Some of the allegations were found to be correct.

(c) Proceedings were drawn up against the President for misappropriation of Nadia fees, but the Subdivisional Magistrate found that a case under section 409, I.P.C., was not made out. He is, however, undergoing trial for misappropriation of Dbarmagola paddy. Also, the Chairman of the District Board has been asked to take necessary action regarding allegations of misappropriation of District Board grant.

(d) and (e) The grant was stopped by the Advisory Council on Social Education.

Sj. Debendra Nath Sen: Arising out of reply (d) and (e), will the Hon'ble Minister please state what are the reasons for which this grant was stopped by the Advisory Council on Social Education?

Sj. Iswar Das Jalan: I ask for notice.

Sj. Debendra Nath Sen: Will the Hon'ble Minister please state whether the reason for stopping this grant was entirely political?

Sj. Iswar Das Jalan: Not to my knowledge.

Pay scales and prospects of Government Health Assistants and Sanitary Inspectors.

6. Sj. Debendra Nath Sen: (a) Will the Hon'ble Minister in charge of the Medical and Public Health Department be pleased to state—

- (i) whether any grade or pay scale has been fixed for the Government Health Assistants and Sanitary Inspectors; and

[Sj. Debendra Nath Sen.]

(ii) if not, do the Government consider the desirability of revising their pay scale?

(b) Will the Hon'ble Minister be pleased to state if it is a fact that the Government Health Assistants and Sanitary Inspectors were enjoying the same pay as lower division clerks and upper division clerks of the Government, respectively?

(c) If the reply to (b) is in the affirmative, will the Hon'ble Minister consider the desirability of maintaining the parity when the new pay scale is introduced?

(d)(i) Will the Hon'ble Minister be pleased to state if it is a fact that all these employees are treated as temporary although many of them are in service for more than 6 years?

(ii) If so, are the Government considering the desirability of making them permanent?

Minister-in-Charge of the Medical and Public Health Department (Dr. Bidhan Chandra Roy): (a)(i) and (b) No.

(ii) The matter is under consideration of Government.

(c) Does not arise.

(d)(i) Yes.

(ii) Does not arise in view of their purely temporary nature of duties.

Sj. Debendra Nath Sen: Arising out of reply to (a)(ii), will the Hon'ble Minister please state since when this matter is under the consideration of Government and when it is going to be finalised?

Dr. Bidhan Chandra Roy: The matter is being considered and I cannot say when it will be finalised, but we will do it as quickly as possible.

Sj. Debendra Nath Sen: Will the Hon'ble Minister please state whether it is a fact that the Finance

Department fixed a scale of pay but the recommendations were turned down by the Directorate of Public Health?

Dr. Bidhan Chandra Roy: I do not think so. It is the other way. It is the Public Health Department that suggests and it is the Finance Department that turns it down. But in this particular case I cannot say what the Finance Department did, but the difficulty is that the question of the Health Assistants and Sanitary Inspectors being absorbed in a permanent cadre of service has not yet been finalised.

Sj. Debendra Nath Sen: Arising out of answer to (b) where the Hon'ble Minister has said 'no' to my question, will the Hon'ble Minister please state what was the scale of pay for these Health Assistants and clerical staff in the department before the new revised scale of pay came and whether it is a fact that they were at par?

Dr. Bidhan Chandra Roy: I want notice.

Sj. Debendra Nath Sen: Arising out of reply (d)(ii), will be Hon'ble Minister please state whether the Government is proposing a time-limit up to which a person will be considered as temporary in the Government service?

Dr. Bidhan Chandra Roy: As I said, the whole matter is under consideration. As to the question whether the service will remain a permanent branch of the Government or whether it will remain on a temporary basis, that has not been decided.

Schemes for Cottage and Small-scale Industries Department.

7. Sj. Mohitosh Rai Choudhuri: Will the Hon'ble Minister in charge of Cottage and Small-scale Industries be pleased to state—

(a) what are the specific schemes and subjects intended to be dealt with by the Cottage and Small-scale Industries Department;

(b) what are the specific organisations that have been or are proposed to be set up; and

(c) what specific staff have or are proposed to be appointed for implementation of policy and programme under the department?

Minister-in-Charge of the Department of Cottage and Small-scale Industries (S). Jadabendra Nath Panja: (a) Two statements are laid on the Table.

(b) and (c) No specific organisation, independent of the existing Directorate of Industries, has yet been set up, nor has any separate staff been appointed exclusively for the Cottage and Small-scale Industries Department, which has just been carved out of the parent department of Commerce and Industries. These administrative details will have to be examined in the light of past experience and settled gradually with an eye to both economy and efficiency.

Statements referred to in reply to clause (a) of question No. 7

1.—LIST OF SCHEMES AND SPECIFIC ACTIVITIES OF THE DEPARTMENT OF COTTAGE AND SMALL-SCALE INDUSTRIES.

(I) Technical and Industrial Training—

(1) Cooch Behar Artisan School and (2) Cooch Behar Weaving School—These two institutes will merge under a reorganisation scheme into the Cooch Behar Industrial School and Workshop proposed to be started shortly.

(3) Fourteen Peripatetic Weaving Schools.

(4) Boot and Shoe-making Classes at the Bengal Tanning Institute.

(5) Three District Weaving Schools and their reorganisation under the Development Programme (located at Malda, Suri and Bankura).

(II) Industrial Exhibitions and Demonstrations—

(1) Sales Emporium, Calcutta.

(2) Moving Exhibition Party under the Directorate of Industries.

(III) Middle-class Unemployment—

Unemployment Relief Scheme consisting of nine peripatetic parties, imparting training in the manufacture of umbrellas and accessories, brass-wares, bell-metal works, cutlery goods and textile goods.

(IV) Industrial Co-operative (Section transferred from the Co-operative Department).

(V) Aid to Industrial Training Institutions imparting training in Cottage and Small-scale Industries such as Visva Bharati, Santiniketan, Calcutta Technical School, etc.

(VI) Financial loans under the Bengal State-Aid to Industries Act, 1931, to Cottage and Small-scale Industries (through the Board of Industries).

(VII) Development of Cottage and Small-scale Industries under the Development Programme—

(1) Four Industrial Centres for the development of Handloom Industry.

(2) Promotion of Khadi Industry.

(3) Promotion of Hand-made Paper Industry.

(4) Scheme for Mat Industry.

(5) Scheme for Bee-keeping Industry.

[Sj. Jadabendra Nath Panja.]

(6) Reorganisation of the existing Weaving Schools.

(7) *Jhut* (Silk Waste) Spinning in Cooch Behar.

(8) Supply of improved appliances to handloom weavers, (9) Promotion of marketing of cottage industries' products, and (10) Development of Handloom Industries—Not yet implemented but included in the Six-year Development Programme.

(VIII) Intensive Food Production Scheme—

Promotion of *Gur* (Palm) Industry.

(IX) Advisory Boards or Committees—

(1) Provincial Handloom Board.

(2) West Bengal Cottage Industries Board.

(3) West Bengal *Khadi* Board.

(X) Allocation of raw materials like steel, cement, etc., for cottage and small-scale industries.

II.—LIST OF SUBJECTS TO BE DEALT WITH BY THE DEPARTMENT OF COTTAGE AND SMALL-SCALE INDUSTRIES.

Part I

Promotion and regulation of cottage and small-scale industries and trade therein in the State save as otherwise provided.

Part II

1. State public services with which the department is concerned (entry 41 of List II).

2. Education so far as concerns training of artisans and craftsmen (entry 11 of List II).

3. Trade and commerce within the State so far as concerns cottage and small-scale industries subject to the provisions of entry 33 of List III (entry 26 of List II).

4. Production, supply and distribution of products of cottage and small-scale industries, subject to the provisions of entry 33 of List III (entry 27 of List II).

5. Offences against laws with respect to any of the matters in List II with which the department is concerned (entry 64 of List II).

6. Inquiries and statistics for the purposes of any of the matters specified in List II or List III with which the department is concerned (entry 45 of List III).

7. Fees in respect of any of the matters in List III with which the department is concerned but not including fees taken in any court (entry 47 of List III).

8. Cottage and small-scale industries subject to the provisions of entry 52 of List I (entry 24 of List II).

9. Trade and commerce in, and the production, supply and distribution of, the products of cottage and small-scale industries where the control of such industries by the union is declared by Parliament by law to be expedient in the public interest (so far as this department is concerned) (entry 33 of List III).

10. Economic planning so far as cottage and small-scale industries are concerned (entry 20 of List III).

11. Price control in respect of matters dealt with by this department (entry 34 of List III).

Part III

1. Union public services in respect of matters with which the department is concerned (entry 70).

2. Institutions for scientific or technical education financed by the Government of India wholly or in part and declared by Parliament by law to be institutions of national importance, so far as this department is concerned (entry 64).

3. Union agencies and institutions for—

(a) professional, vocational or technical training, or

(b) the promotion of special studies or research, so far as subjects dealt with or services administered by the department is concerned (entry 65).

4. Patents, inventions and designs, copyright, trade marks and merchandise marks so far as the products of cottage and small-scale industries are concerned (entry 49).

5. Offences against laws with respect to any of the matters in List I with which the department is concerned (entry 93).

6. Inquiries, surveys and statistics for the purposes of any of the matters in List I with which the department is concerned (entry 94).

7. Fees in respect of any of the matters in List I (but not including fees taken in any court) with which the department is concerned (entry 96).

8. Establishments of standards of quality of products of cottage and small-scale industries to be exported out of India or transported from one State to another (entry 51).

9. Inter-State trade and commerce so far as products of cottage or small-scale industries is concerned (entry 42).

10. Trade and commerce with foreign countries and import and export so far as products of cottage and small-scale industries are concerned (entry 41).

11. Participation in international conferences, associations and other bodies and implementing of decisions thereat so far as the department is concerned (entry 13).

Sj. Debendra Nath Sen: Arising out of reply to (b) and (c) where it has been stated that no specific independent organisation has been set up for the purpose, will the Hon'ble Minister please state how he proposes to carry on his department and introduce cottage industries in this State of West Bengal?

Sj. Jadabendra Nath Panja: The details are being worked out and it will take some time.

Sj. Debendra Nath Sen: Will the Hon'ble Minister please state whether it is a fact that a new department has been created only to satisfy him and he is there as a puppet only?

Dr. Bidhan Chandra Roy: It is not necessary to answer any question on that point. With regard to those questions, Sir, the fact is that we felt that the Cottage and Small-scale Industries Department should be separated in order to put greater emphasis on the development of cottage and small scale industries under the Government. Sir, the whole scheme is being worked out and has to be finalised very soon.

Condition of roads and bridges in Birbhum district.

8. Janab Abdul Halim: Will the Hon'ble Minister in charge of the Local Self-Government Department be pleased to state—

(a) whether the Government is aware of the deplorable state of repairs of various roads and bridges, particularly Suri-Katwa road of Birbhum district;

(b) whether accidents involving men and carts occur very frequently on the said Suri-Katwa road; and

[Janab Abdul Halim.]

- (c) if so, what steps, if any, Government propose to take for thorough repair of the roads?

Minister-in-Charge of the Local Self-Government Department (Sj. Iswar Das Jalan):

(a) Many of the roads and bridges in the district of Birbhum are in need of repairs. The condition of the Suri-Katwa road up to Kirnagar is fairly good except for the bridge at mile 23. Only a part of this road from Suri to Daskalgram belongs to the Birbhum District Board.

(b) Government have no information.

(c) The District Board will take up repairs as far as its funds permit.

Number of detenus

9. Sj. K. P. Chattopadhyay:

Will the Hon'ble Minister in charge of the Home Department be pleased to state—

- (a) how many persons were detained under the Preventive Detention Act on 22nd March, 1952;

(b) how many were—

- (i) political prisoners detained for political activities—members of C.P.I., R.C.P.I. and F.B.,

(ii) black-marketeers, smugglers, and

(iii) spies of foreign States; and

- (c) how many persons are detained under the Preventive Detention Act (or its counterpart) on this date under the above categories (i), (ii) and (iii)?

Minister-in-Charge of the Home Department (Dr. Bidhan Chandra Roy): (a) Two hundred and fifty-nine.

(b) None was detained for "political activities" as stated in the question. Number of persons belonging to different political parties detained for acting in a manner prejudicial to the maintenance of public order or the security of the State were as follows:—

(i) C.P.I. ...	164
R.C.P.I. ...	59
F.B. ...	Nil
Other (R.S.P.I.) ...	1
Total ...	224

- (ii) Twenty-five out of which 3 were on parole.

(iii) Five.

(c) Figures as on 4th July—

(i) C.P.I. ...	Nil
R.C.P.I. ...	47
F.B. ...	Nil
Total ...	47

- (ii) Black-marketeers and smugglers 41, out of which 19 were on parole.

(iii) Spies of foreign States—5.

[10-10—10-15 a.m.]

Sj. K. P. Chattopadhyay: Is it permissible, Sir, to enquire about the discrepancy between these figures and the statement which was made by the Prime Minister on 22nd March in Calcutta at the Congress Committee meeting that there were 80 or 85 under detention?

Dr. Bidhan Chandra Roy: I cannot give you exactly what figures he gave. What figures are given here are from the records. These are facts. The total number of people under detention vary from day to day. Some days some go out and some days others come in. There is very great chance of there being a change in the number from day to day.

Sj. K. P. Chattopadhyay: Sir, the date was the same, the 22nd March.

Dr. Bidhan Chandra Roy: It may be that the date was the 22nd March. I have given figures from the record. The Prime Minister probably was relying on figures of a previous date.

Sj. Debendra Nath Serr: Sir, arising out of reply to (b)(ii), black-marketers and smugglers, will the Hon'ble Minister please state whether these 41 are still in detention?

Dr. Bidhan Chandra Roy: I do not know what is the position today but the record relating to that particular date showed that there were 41 blackmarketers and smugglers out of which number 19 were on parole.

Sj. K. P. Chattopadhyay: Sir, will the Hon'ble Minister please state if there is any proposal to put the 47 R.C.P.I. prisoners on trial?

Dr. Bidhan Chandra Roy: Not at the present moment.

Sj. Nirmal Chandra Bhattacharyya: Arising out of (c)(iii) relating to spies of foreign states, will the Hon'ble Minister please state what are the states represented?

Dr. Bidhan Chandra Roy: I am afraid I cannot give that answer here.

Sj. Debendra Nath Sen: With regard to reply to (c)(iii) will the Hon'ble Minister please state whether these spies of the foreign states have been released or not?

Dr. Bidhan Chandra Roy: I do not know why Mr. Sen asks this question. I am giving you particulars with reference to the date in respect of which details have been sought about the number of people under detention. If you ask such questions later on with regard to a particular date or if you send me a letter, I can give you the information.

[10-15—10-20 a.m.]

Sj. Debendra Nath Sen: The reason is quite obvious. However, I wanted to know whether black-marketers are kept in detention for one day and on the second day they are released?

Dr. Bidhan Chandra Roy: Probably my friend does not know that every person in detention is sent up and the judge pronounces his judgment as to whether he is to be detained and on his judgment the person is detained or released.

Shortage in the stock of Police uniforms, etc., in Police stores in 24-Parganas district.

10. Sj. Annada Prosad Choudhuri: Will the Hon'ble Minister in charge of Home (Police) Department be pleased to state—

(a) whether it is a fact that there is a shortage in the stock of uniforms, boots, mosquito nets, etc., in the Police stores of 24-Parganas district and that attempts are being made to make up this deficit by raising subscriptions from the constables; and

(b) if so, whether Government will make an enquiry into the matter?

Minister-in-Charge of the Home (Police) Department (Dr. Bidhan Chandra Roy): (a) No.

(b) Does not arise.

Cost of advertisement in newspapers.

11. Sj. Annada Prosad Choudhuri: Will the Hon'ble Minister in charge of the Home (Publicity) Department be pleased to state—

(a) the amount paid to different newspapers in Calcutta as advertisement charges, month by month, for the years 1950-51, 1951-52 with their rates for single column inch;

[Sj. Annada Prosad Choudhuri.]

(b) (i) the figures of circulation of each such paper,

(ii) whether they are audited figures, and

(iii) if audited, the names of the auditors;

(c) the date when the *Lokasevak* received the first Government advertisement and the date of the last;

(d) the date when the *Janasevak* received the first Government advertisement; and

(e) (i) (1) the procedure in regard to giving Government advertisements to different papers, and

(2) whether any communication has been made by the Bengal Press Advisory Board in this connection; and

(ii) if so, what that is?

Minister-in-Charge of the Home (Publicity) Department (Dr. Bidhan Chandra Roy): (a) and (b) A statement is laid on the Table. As accounts are not maintained on monthly basis, total figures, year by year, have been stated.

(c) January 3, 1949 and March 20, 1951.

(d) June 15, 1951.

(e) (i) (1) Government publish their advertisements in such newspapers the publication in which is regarded as helpful to the State.

(2) Yes.

(ii) The honourable member is aware that this cannot be divulged or published in the interest of Bengal Press Advisory Committee.

Sj. Annada Prosad Choudhuri:

এই যে সংশ্লিষ্ট তালিকা এতে আছে যে জনসেবকের বিজ্ঞাপনের ১ ইঞ্চির হার ১০ টাকা এবং তার তিনগুণ সাকুলেশন হ'ল হিন্দুস্থান স্টাণ্ডার্ডের—তারও এক ইঞ্চির হার ১০ টাকা। এই তারতম্যের

কারণ কি, মন্ত্রীমহাশয় বলবেন কি? হিন্দুস্থান স্টাণ্ডার্ডের সাকুলেশন ৩০ হাজার আর জনসেবকের ১২ হাজার। ৩০ হাজার হলেও ১০ টাকা আবার ১২ হাজার হলেও ১০ টাকা। এই তারতম্যের কারণ কি?

Mr. Chairman: I suppose this is not a question which can be answered by the Minister as this is a question of policy of a particular paper.

Sj. Annada Prosad Choudhuri: Let the Hon'ble Minister answer, Sir.

Dr. Bidhan Chandra Roy: I cannot give you any further answer than I have done already.

Sj. Annada Prosad Choudhuri: Then no question can be asked.

তাহলে আর "সাপ্লিমেন্টারী কোয়েস্টনের" কোন দরকারই করে না।

Dr. Bidhan Chandra Roy: Sir, if he puts some other question on this question later on I can answer that.

Mr. Chairman: The rates are fixed by the newspapers concerned. The Government has nothing to do with it. They are concerned with sending in the advertisement. How can the Hon'ble Minister answer a question like that?

Sj. Annada Prosad Choudhuri:

আমাব জানবার কথা যে ৩০ হাজার যে কাগজের সাকুলেশন তারও ১০ টাকা লাগবে আর ১২ হাজার যে কাগজের সাকুলেশন তাতে বিজ্ঞাপন দেওয়ার খরচও ১০ টাকা এর কারণটা মাননীয় মন্ত্রীমহাশয় বলবেন কি?

Dr. Bidhan Chandra Roy: Notices and advertisements are sent to the different papers not on circulation basis, but there are other factors also which are to be considered.

[10-20—10-25 a.m.]

Dr. Monindra Mohan Chakrabarty: What are those factors which he is referring to?

Dr. Bidhan Chandra Roy: I cannot give you all the factors; they are known to and considered by the Publicity Department.

12	Lokmanya	402	370	8,765	Yes	Ditto	7 0 per column inch	7 0 per column inch	7 0 per column inch	7 0 per column inch	7 0 per column inch	3 0 per single column inch	3 0 per single column inch
13	Vishwambhar	887	975	Above 8,000	Yes	J. B. Maulek, Chartered Ac- countant	8 0 per column inch	8 0 per column inch	8 0 per column inch	8 0 per column inch	8 0 per column inch	8 0 per column inch	8 0 per column inch
14	Samarg	644	584	7,019	Not known	Not known	1 0 per line	1 0 per line	1 0 per line	1 0 per line	1 0 per line	7 0 per column inch	7 0 per column inch
15	Jayrth	214	444	12,000	Yes	A. Mittal, Acco- untant and Au- ditor	4 8 per column inch	4 8 per column inch	4 8 per column inch	4 8 per column inch	4 8 per column inch	3 0 per single column inch	3 0 per single column inch
16	Rosana Hind	6,363	8,576	11,352	Yes	S. S. Gupta and Co	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per single column inch	5 0 per single column inch
17	Ara-Jadid	263	2,647	10,000	Yes	J. C. Chakravarty and Co	1 0 per line	1 0 per line	1 0 per line	1 0 per line	1 0 per line	3 8 per single column inch	3 8 per single column inch
18	Dash Darpan	997	4,768	7,900	Yes	Rax Mulik and Co	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per column inch	5 0 per single column inch	5 0 per single column inch
19	Calcutta Exchange Trade and Daily Advertiser	32	486	900	Not known	Not known	6 12 per line and 1 0 per line	6 12 per line and 1 0 per line	6 12 per line and 1 0 per line	6 12 per line and 1 0 per line	6 12 per line and 1 0 per line	..	..

*Since ceased publication

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister be pleased to state if it is the policy of the Government to subsidise certain papers, certain selected papers directly or indirectly?

Dr. Bidhan Chandra Roy: I cannot say anything more than what I have already stated.

Sj. Debendra Nath Sen: Arising out of reply to (c)(i) where it has been stated that "Government publish their advertisements in papers which are regarded as helpful to the State" will the Hon'ble Minister be pleased to state whether an advertisement in the "Lok Sevak" is considered as helpful to the State or not?

Dr. Bidhan Chandra Roy: That is a matter of opinion.

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্রীমহাশয় বলবেন কি যে এর আগে সম্পাদক বল্লভভাই প্যাটেল কন্সটিটিউশন্ হাউসের মিটিংএ অতি পরিস্কার ভাষায় বলেছিলেন "এডিটোরিয়াল পলিসি" নয়, কাগজের সাকুলেশনই বিজ্ঞাপন দেওয়ার রীতি নিশ্চারণ করবে, একথা তিনি জানেন কি না?

Dr. Bidhan Chandra Roy: I want notice.

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্রীমহাশয় ৩ অনুচ্ছেদে বলেছেন যে লোকসেবকে প্রথম বিজ্ঞাপন দেওয়া হয় জানুয়ারীর ৩ তারিখে, শেষ মার্চের ২০ তারিখে ১৯৫১ সালের। তাবপবে কি লোকসেবকের নাম বিজ্ঞাপনের তালিকা থেকে কেটে দেওয়া হয়েছে?

Dr. Bidhan Chandra Roy: I want notice.

Sj. Annada Prosad Choudhuri:

মাননীয় মন্ত্রীমহাশয়, ১৯৫০ সালের ৯ই মার্চ বিধানসভার এক প্রশ্নের উত্তরে বলেছিলেন যে ১০ খানা কাগজে বিজ্ঞাপন দেওয়া হয়; তারপর ৫ই অক্টোবর ১৯৫০ সালে বলেছেন যে ১৫ খানা কাগজে বিজ্ঞাপন দেওয়া হচ্ছে। তারপর দেখা যাচ্ছে ১৯ খানা কাগজের নাম লেখা হয়েছে। মাননীয় মন্ত্রীমহাশয় কি অবগত আছেন যে তাঁর বিভাগ থেকে ২৬শে মে ডিরেক্টর অব পাবলিসিটি লিখেছিলেন যে লোকসেবকের

লিখেছিলেন—"আই এম ডিজার্ড টু, সে দ্যাট দি গভর্ণমেন্ট ডু নট প্রসিজ্যুট এন লাক্স দেয়ার প্রজেক্ট লিস্ট অব এডভার্টাইজিং মিডিয়া" এটা কি সত্য যে এটা তাঁর নির্দেশে লেখা হয়েছিল, না অন্য কারও নির্দেশে নেয়া হয়েছিল—তা বলতে পারেন কি?

Dr. Bidhan Chandra Roy: There is quite a long time between October 1951 and June or July 1952.

Sj. Annada Prosad Choudhuri:

১৯৫১ সালের ২০এ মার্চ তাঁর কাছে প্রথম চিঠি লেখা হয়েছিল, তারপর ১৯৫১ সালের ২৯এ অক্টোবর—তারও জবাব পাওয়া যায় নি। তারপর ২৪এ এপ্রিল ১৯৫২ সালে প্রধানমন্ত্রী মহাশয়ের কাছে চিঠি লেখা হয়েছিল। তারও কোন জবাব পাওয়া যায় নি। কিন্তু ২৬এ তারিখে—

Dr. Bidhan Chandra Roy: I have no more answers to give.

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister be pleased to state if he is contemplating sending Government advertisements in future to the "Swadhinata" which has a circulation of nearly 12,000.

Dr. Bidhan Chandra Roy: When that paper "Swadhinata" will apply we will consider it.

Sj. Annada Prosad Choudhuri:

কি কি জিনিস মাননীয় মন্ত্রীমহাশয় "হেফসফুল টু দি স্টেট", বলে মনে করেন তাকি জানতে পারি?

Mr. Chairman: He has already answered that question.

Sj. Annada Prosad Choudhuri:

যদি কোন কাগজে—যেমন লোকসেবকে—ইউনিভার্সিটি এবং হাই কোর্টের যে সমস্ত দৃষ্টান্তের কথা প্রচাৰ করা হয়েছিল তাকে কি সবকার "হেফসফুল টু দি স্টেট", মনে করেন?

Dr. Bidhan Chandra Roy: That is a matter of opinion.

Sj. Annada Prosad Choudhuri:

গত বৎসরে বিধানসভায় পাবলিক সার্ভিস কমিশনের বিপোর্ট দুটি দাখিল করা সম্বন্ধে প্রধান-মন্ত্রী মহাশয় একটা প্রথমে দেখেন নাই এবং পরে ঐ রিপোর্টটি তিনি সেখানে উপস্থিত করার পর

যে সেটা দেখেন নি বলে বলেছেন—সেই যে অসত্য ভাষণ এটা কি তিনি “আনহেৎপফুল টু দি স্টেট”, বলে মনে করেন?

Dr. Bidhan Chandra Roy: This is the first time that I hear about it.

Sj. Annada Prosad Choudhuri:

যদি বলেন তাহলে সেটা “প্রসিডিংস্” থেকে আনলে কি উনি বিবেচনা করবেন?

Dr. Bidhan Chandra Roy: I cannot give any more answers to this question.

Message from the Assembly.

The Secretary to the Council: (Sri A. R. Mukherjee): Sir, the following message has been received from the West Bengal Legislative Assembly:—

“The West Bengal Appropriation (No. 2) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 4th August, 1952, has been duly signed by me and is transmitted herewith to the West Bengal Legislative Council under Article 198, clause (2) of the Constitution of India

S. K. MUKHERJEE,

Speaker.

West Bengal Legislative Assembly.”

CALCUTTA,
The 5th August, 1952.

Sir, I lay on the table the West Bengal Appropriation (No. 2) Bill, 1952.

Sj. K. P. Chattopadhyay: Sir, I received notice of this Bill only this morning at 8 when I was going out, and so soon thereafter, within a couple of hours, we are asked to consider the same. We are not supermen that we can do justice to the subject without having sufficient time to go through it.

[10-25—10-30 a.m.]

Mr. Chairman: Notice like that is not necessary. It may be presented by the Hon'ble Chief Minister before the House and the Bill is taken up for consideration. I should like to make certain observations so that we might have some clear idea of the procedure to be followed in connection with this Bill.

Sj. Nirmal Chandra Bhattacharyya: Sir, could I make my suggestion? I am afraid your statement may be in the shape of a ruling and if the ruling is given, we have to accept it. I suggest that you hear our submissions on this particular question before you finally give your ruling.

Mr. Chairman: It is not a case of ruling. It is just a sort of statement of procedure which is usually followed in a matter like this. You kindly listen to me.

Sj. Debendra Nath Sen: Shall we be allowed to discuss on the ruling that you will now be giving?

Mr. Chairman: You cannot discuss the statement but you can discuss on the Bill when it is presented.

Sj. Nirmal Chandra Bhattacharyya: Sir, there is one matter. Under section 198(2) and 204(2) I gave notice of a certain recommendation. That recommendation, I was told by the office, was not in order. So, there does arise a matter which ought to be discussed before you give your ruling. That is my submission.

Mr. Chairman: We have to take into consideration section 204(2) and other matters connected with that. I would like you to listen first of all to what I am going to say. Then the Appropriation Bill will be presented before you and you can have a discussion on that.

Sj. Nirmal Chandra Bhattacharyya: Sir, will you kindly permit discussion on the statement that you are going to make?

Mr. Chairman: Not on my statement.

Sj. Debendra Nath Sen: It is a matter of privilege for this Council. We want to have discussion on this Appropriation Bill. We are afraid that your suggestion or your ruling, whatever that may be, that you are just now going to make, may deprive us of that privilege.

Mr. Chairman: What I am going to suggest is in connection with the procedure for discussing this Bill.

Sj. Nirmal Chandra Bhattacharyya: Sir, will you not listen to our submission? Will you permit us to discuss your statement later on?

Mr. Chairman: Just listen to me. I think it is perfectly clear—the thing is quite new to the House—a statement from the Chair is necessary.

Sj. Nirmal Chandra Bhattacharyya: With all respect to you, Sir, I want to submit—

Mr. Chairman: I do not exactly see your point and I would like you to listen to me first.

As this is the first occasion on which an Appropriation Bill has come up before this House and as the Constitution puts certain limitations to the power of this House in regard to such Bills, I should like to make certain observations in regard to the procedure that is to be followed and the scope of discussion in this case. This Bill has been certified as a Money Bill. This House has no power to make any amendment to the clauses of a Money Bill. It can only make recommendations to the other House to make amendments. It is also bound to return the Bill to the other House within fourteen days of the date of receipt with or without any recommendation. The question of passing or rejecting a Money Bill therefore does not arise, and I propose to follow the procedure, which

has been laid down in rule 82 of our Rules of Procedure, that is to say, a Minister acting on behalf of the Government may move that the Bill be taken into consideration. At this stage a discussion on the general principles of the Bill may take place. Although theoretically it is possible for this House to reject a motion for consideration, it seems to me that practically it would not have any effect at all for in that event the Bill cannot be returned to the other House and it would be deemed after the lapse of fourteen days to have been passed by both the Houses.

[10-30—10-35 a.m.]

I would, therefore, ask the honourable members to bear this fact in mind when I put the motion to vote. After the motion for consideration has been carried, any member may propose a question that the Council recommends that such and such amendments be made to a clause, but in regard to this Bill, an Appropriation Bill, there is practically no scope for any amendments to be made to the clauses. Under Article 204(2) of the Constitution no amendment can be proposed which will have the effect of varying the amount or altering the destination of any grant or of varying the amount of any charged expenditure.

As regards the scope of general discussion, I should like to point out that the scope seems to be a very restricted one. Questions of administrative policy were raised and discussed in course of a general discussion on the budget and those matters which were raised at that time should not be discussed again. Any new matters of administrative policy involved in the Appropriation Bill would be relevant to the motion before the House, and I would request the honourable members to confine their discussion to such matters. I may tell the House that in the House of Lords the passing of an Appropriation Bill is a formal matter and such Bills are passed without any debate and clauses are never considered in Committees.

There will be no motion for passing the Bill after the motion for consideration is passed. As there are no proposals for recommending the Bill will be returned to the other House with a message that the Council has no recommendation to make.

I think that gives scope for discussion and according to the letter and spirit of the Constitution we are going to proceed.

Sj. Nirmal Chandra Bhattacharyya:

Sir, could I rise on a point of order? Permit me in this connection to read out Article 204(2). It clearly lays down "After a Money Bill has been passed by the Legislative Assembly of a State and the Legislative Council, it shall be transmitted to the Legislative Council for its recommendations, and the Legislative Council shall within a period of fourteen days from the date of its receipt of the Bill return the Bill to the Legislative Assembly with its recommendations, and the Legislative Assembly may thereupon either accept or reject all or any of the recommendations of the Legislative Council." So under Article 198(2)

the Legislative Council has been given the right of making recommendation to the Legislative Assembly. This, of course, is subject to Article 204(2) which runs as follows: "No amendment shall be proposed to any such Bill as the House or either House of the Legislature of the State which will have the effect of varying the amount or altering the destination of any grant so made or of varying the amount of any expenditure charged on the Consolidated Fund of the State, and the decision of the person presiding as to whether an amendment is inadmissible under this clause shall be final." Sir, within the framework of these two Articles, viz., Articles 198(2) and 204(2) I gave notice of a motion which was declared to be out of order by the office. My motion does not make any recommendation which is likely to alter the grant. It is just a simple

recommendation to the Legislative Assembly. I will seek your permission, Sir, to read that out to you. It runs as follows: "The West Bengal Legislative Council recommends that proper and adequate provision be made for education in the West Bengal Appropriation (No. 2) Bill, 1952". I do not propose here that the amount that has been sanctioned by the Legislative Assembly be varied in any way. I have made a recommendation to the Legislative Assembly and this, I submit, comes definitely within Articles 198(2) and 204(2).

Dr. Bidhan Chandra Roy: Sir, the point that Professor Bhattacharyya has stressed would be satisfied if you look at the item that is on the agenda, viz., that I shall move that the Bill be taken into consideration by the Council and returned to the Assembly with its recommendations.

[10-35 10-40 a.m.]

Therefore, Sir, it is for the House to consider my motion. You can give any opinion or recommendation but you cannot make any recommendation of the type which would involve the question of looking into it to alter it or to alter the destination of the money. All you can do is to discuss the motion that I have put before the House. They may say "We do not like this Bill" but the suggestions should not be in the nature of altering the provisions of the grant.

Sj. Mohitosh Rai Choudhuri:

Sir, what are we then here for? What will be our function?

Mr. Chairman: I think what I have already said will clear up the points raised by Professor Bhattacharyya. It meets his contention. You can only make theoretical recommendation. Let us now proceed with the discussion on general terms along the lines without repeating the old arguments. It may be that there is a lacuna somewhere in the Constitution but I am not in a position to give my opinion on it.

GOVERNMENT BILL.**The West Bengal Appropriation (No. 2) Bill, 1952.**

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Appropriation Bill, 1952, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendations, be taken into consideration.

Sir, under Article 266(3) of the Constitution "No moneys out of the Consolidated Fund of a State can be appropriated except in accordance with law." The West Bengal Appropriation Vote on Account Act, 1952, authorises payment and appropriation of certain sums from out of Consolidated Fund of West Bengal towards the charges which came or will come in course of payment in the current year. The present Bill authorises payment and appropriation of certain sums from out of the Consolidated Fund of West Bengal. It will appear, therefore, that this Bill is the same as I presented some time ago. Sir, the House had ample opportunities of discussing the various items of the Bill while discussing the Budget. Replies were given to the points raised by the honourable members in course of the general discussion. Therefore I do not think I need detain the House any longer on this motion.

Sj. Debendranath Mukherjee:

Mr. Chairman, Sir, in speaking on the Bill presented to the Council today, I may submit that this Bill was handed over to us only a few hours prior to the sitting of the Council. Sir, you have referred to the procedure that obtains in England in the House of Lords. We do not pretend to be so big as the House of Lords in England but, Sir, you yourself have referred to rule 82 and my friend Mr. Bhattacharyya has also referred to certain Articles of the Constitution.

[10-40—10-45 a.m.]

Article 82 provides that the Council has the right to make some

recommendations. Now is it possible that Members of this Council without having any sufficient time to go through the different provisions in the Appropriation Bill can at once rise and make recommendations with regard thereto for the consideration of this House first and, if these recommendations are accepted by this House, for the consideration of the Legislative Assembly next. Therefore, Sir, what I propose to suggest is this. There are members, like myself, who feel that they will not be able to do justice to the consideration of this Bill here and now and who do not consider themselves competent at once to make any recommendations before scrutinising the different provisions in the Bill. May I therefore pray that you will kindly consider whether it is possible to adjourn the House till to-morrow so that we may have time to consider whether it is worth while at all to make any recommendations and if you find that the recommendations are really worthy of being made we shall make those recommendations for the consideration of this House. In this connection I submit that you have given an indication, a hint, that our powers in this regard are very limited and debates on this Bill are not also permissible and it is only a formal affair. If that is the view that you put upon Article 82 and therefore if you intend to suggest that there is no use our making any recommendations for the consideration of this House then of course I shall have nothing to say. But when some right has been given to this House to make recommendations, I think, Sir, that we are entitled to get some time to consider the Bill and to see whether we can make any recommendation.

Sj. Nirmal Chandra Bhattacharyya:

Sir, in your illuminating ruling you have stated that we are considering this question for the first time and it is therefore necessary that we should set up a right procedure which may be a guide to the future. It is for this reason that I stand up to support the suggestion of my friend Mr. Mukherjee.

and I think that in fairness to this House it would be desirable to postpone the consideration of the motion that has been placed before us by the Hon'ble the Chief Minister till to-morrow.

SJ. Mohitosh Rai Choudhuri:

স্যার! একটা জিনিস আমি বুঝতে পারছি না। আমরা "রেকমেন্ডেশন" কি করব। "রেকমেন্ডেশন" মানে "অলটারেশন" করা—এ "হেড"এ না দিয়ে ও "হেড"এ দেওয়ার কথা। সে-সব যদি আমরা কিছ-ই না কবতে পারি তা হ'লে আমরা "রেকমেন্ডেশন"এ কি বলব? একটা "স্পেসিফিক" "ইন্সট্যান্স" দিয়ে বুঝিয়ে দিন যে কিভাবে "রেকমেন্ডেশন" করব এবং কিভাবে আমরা এ নিয়ে ডিসকাশন করব। ডিসকাশন করতে গেলে তা আমার বন্ধু প্রফেসর ভট্টাচার্য্য মহাশয় যে কথা বলেছেন, যদি আমরা শুধু এটুকুও "রেকমেন্ড" কবতে না পারি যে বেশি টাকা শিক্ষাব খাতে দেওয়া হউক, বা মেডিকেল বা অন্য কোন হেড দেওয়া হউক, সেটাও যদি "ইন্সট্যান্স" হয়, সেটাও "ল পারমিট" না করে তা হলে "ডিসকাশন" আমরা কি কবব, একটু উদাহরণ দিয়ে দেখিয়ে দিন।

Mr. Chairman: The Chair cannot help in this matter. Of course theoretically you can do certain things but there are very serious practical difficulties and if you make any recommendation it must come in the shape of amendments and as this Appropriation Bill is a Money Bill you cannot make any recommendation of that type. And then look at Article 204 which is quite definite in this connection.

SJ. Mohitosh Rai Choudhuri:

তা হ'লে কি আমরা "অ্যামেন্ডমেন্ট" কবব:

[10-45—10-50 p.m.]

Mr. Chairman: You can make any suggestions in the course of your speeches. That will be taken note of by the proper Minister.

Dr. Bidhan Chandra Roy: Sir, I think the confusion arises like this. The word 'Money Bill' under section 198(1) refers not merely to a Money Bill which is in the form of an Appropriation Bill but it also refers to a Bill regarding taxation; for instance, if we put in a Bill that the sales tax be such and such and the Assembly has passed it and it comes here, then that Money Bill

can be sent there with our recommendations and you can vary the tax, say, from Rs. 2 to Rs. 5. But so far as this particular Money Bill is concerned it is hedged in by the restriction of section 204. Therefore, Sir, the word 'Money Bill' is probably confusing some people. The word 'Money Bill' does not mean the Budget or the Bill of Appropriation. Money Bill refers to any Bill which is concerned with money taxation; it will then come under section 198 and the provision of section 198 will apply. But when it is a question of a Money Bill such as the Bill of Appropriation which we have today, that comes under section 204, and there will be no amendment with regard to this Money Bill. Any recommendation for varying the items of taxation is not controlled by section 204. In this Bill any amendment which would mean variation in the appropriation of grants cannot be allowed and therefore amendment is practically of no validity. The question is the general consideration of the Bill. If anybody has to say anything, as the Hon'ble Chairman has just pointed out, he may say that. But there are matters which are considered in the Assembly, and debates have taken place. If there is any new point any member wants to say with regard to this general provision, with regard to the Appropriation Bill it is all right. But I think Prof. Bhattacharyya is probably confusing the term 'Money Bill'. Money Bill is a much wider term and it involves various other Bills apart from the Bill of Appropriation which is presented today.

SJ. Nirmal Chandra Bhattacharyya:

Sir, we are grateful to the Chief Minister for the explanation. It is certainly tenable so far as it goes, but it does not meet our point. Our point is that we are entitled to make recommendations like this, that adequate provision be made for Education or for Medical Relief. That does not amount to an amendment at all. It is just a recommendation of the Legislative Council. It is for the Legislative Assembly to take adequate steps in the matter.

Mr. Chairman: Is that recommendation for provision an amendment?

Sj. Nirmal Chandra Bhattacharyya: That is not an amendment. I merely say that provision be made for a particular Department, say Education or Food.

Mr. Chairman: You can do that in your speeches. You can make any amount of recommendations.

Dr. Bidhan Chandra Roy: Prof. Bhattacharyya can certainly say that this Bill has not made certain provision for Education, but it is no use his trying to send in formally a sort of recommendation like this "We recommend to the Assembly that instead of Rs. 2 crores, Rs. 5 crores be given or more provision be made." That you cannot make. Certainly you can make suggestions with regard to the various provisions of the Bill. You can certainly discuss, but it cannot be a formal motion.

Sj. Mohitosh Rai Choudhuri:

তা হলে স্যার আপনার অর্থাৎ ডাঃ রায়ের কাছে জিজ্ঞাসা করছি যদি "অ্যামেন্ডমেন্ট" ১০টার ভিতর দিতে হয় তা হলে কি "অ্যামেন্ডমেন্ট" আমরা দেব? ডাঃ রায় একটা দৃষ্টান্ত দিয়ে বুঝিয়ে দিন।

Mr. Chairman: I think we have discussed enough. I would suggest to members that we do proceed to the discussion of the motion of Dr. Roy.

Sj. Mohitosh Rai Choudhuri:

ডাঃ রায়কে আবার আপনার মারফত বলছি তিনি একটা "ইলাস্ট্রেশন" দিয়ে বুঝিয়ে দিন—তিনিও ত মাফানী করেছেন—তাহলে কিভাবে "রেকমেন্ডেশন" দেব বুঝতে পারব। আমাদের ত দশটার মধ্যে "অ্যামেন্ডমেন্ট" লিখে দিতে বলেছেন।

Mr. Chairman: Will you kindly meet me in my Chamber? Is there any one else wishing to speak?

[10.50—10.55 a.m.]

Sj. Debendranath Mukherjee: Sir, I want to make some submissions with regard to the item "Civil

Administration". Those submissions will be in the nature of recommendations intended for the Legislative Assembly for their consideration. With regard to this item we find certain items have been provided. I am quite aware and I am reminded by the Chief Minister that we have no power to increase or reduce the figures. While the Ministry will carry on the administration of the Government, especially with regard to this item, they may keep in mind the particular objective for which the Government exists, viz., the well-being of the people and of the man in the street. I am referring to a particular item for the purpose of reminding the Chief Minister that he or his colleagues will exercise his or their discretion in the matter of the spending of this money on General Administration where they find that it should be spent; but there are cases where the Chief Minister will exercise his discretion not to spend any money with regard to certain items of administration, if he finds that the administration is not up to the standard of our Government. May I give an illustration? I informed the House some time back about the conduct of the District Magistrate of 24-Parganas. That was with regard to drawing attention to the relief work of Basanti's *abad* in the district of 24-Parganas, for the repair of the huts which were pulled down and also for sinking a tube-well to remove people's difficulties about drinking water. Representations were made. They were referred to the District Magistrate by the Relief Commissioner. On their behalf I sought an interview over the telephone. I was refused. It was said that he had no time to look into this matter in a week. I asked him if I could see him after a fortnight the reply was in the negative. I asked him if I could see him after a month, and the answer was 'no'. That was the answer I got from the District Magistrate of 24-Parganas and may I ask the House to consider whether it would be justifiable to spend on administration if officers behave in that way. If your

District Magistrates do not behave properly with regard to the well-being of your people. I would ask the Legislative Assembly and the Ministry to remember all these cases and to spend the money which is allotted for the General Administration accordingly. I wrote also to the Chief Minister about this. I drew his attention to it. I again tell the Hon'ble Chief Minister and also the members of this House that I was not even favoured with a reply whether he was going to take any action against the conduct of such a District Magistrate. With regard to the Police you have provided about Rs. 6 crores.

[10-55—11 a.m.]

Sir, now I would ask the Hon'ble Minister not to spend money which is being thus granted by the two Houses of Legislature. If the police are found to use tear-gases, their guns on innocent agitators—ladies, boys—if such be their conduct, I would ask the Hon'ble Minister not to spend a farthing on them, on the administration which would certainly go not to benefit the people for their well-being but against them.

Sir, with regard to education, my submissions are that a certain amount has been allotted. I know of certain cases where the colleges are not getting their funds. I would ask the Chief Minister and through him the Education Minister to see to the proper distribution of this money amongst the different educational institutions so that there may not be any discrimination between institutions which can easily approach the higher authorities and the institutions which stand situated in remote villages and have no opportunities to come in contact with higher authorities. We have known from our past experience that discrimination has been made in regard to colleges suffering for want of funds and I would suggest that there should be a directive from the Assembly or from the Ministry that the amount that is being thus sanctioned for the general administration should be so spent that money

really goes to benefit the people and that money is not spent on any principle of discrimination. That is my submission, Sir, with regard to this Appropriation Bill.

Dr. Monindra Mohan Chakrabarty: Mr. Chairman, Sir, we have just now been told that in so far as the Appropriation Bill is concerned, we would only say something which will be duly noted by the Ministers concerned. I submit, Sir, that the Ministers do not note and I will give you some instances. I will refer you, Sir, to the reply to the Budget Discussions in this Council held on the 3rd July 1952. We on behalf of the Opposition made some suggestions—constructive suggestions—and the Chief Minister admitted that they were reasonable also. One particular example is about the teachers and the education in general. The Chief Minister said, "I am quoting his words—"I promise it would be my endeavour to see that these people get a little better salary—not only because they need it but also because we feel that the future generation should be trained by a class of people who are contended and who are qualified to train them". Let us examine how the Chief Minister or for the matter of that other Ministers have accepted our suggestions. Sir, I do not find the Minister in charge of Education in the House when he knows that education will be a subject which will be discussed on the floor of the House today. We take exception to this.

Dr. Bidhan Chandra Roy: Not only education but other subjects may also be discussed in this House today. Ordinarily the Minister who has to answer some questions is present to reply to that question.

[11-00—11-5 a.m.]

Dr. Monindra Mohan Chakrabarty: I do not know why they are not present.

At least the portfolio of Education is not an unimportant portfolio, I submit. (Sj. NIRMAL CHANDRA BHATTACHARYYA: All the

[Dr. Monindra Mohan Chakrabarty.]

ministers are contained in the (Chief Minister.) As I was saying, Sir, the Hon'ble the Chief Minister as well as the other ministers do not pay any attention to our suggestions in this House. Now we pointed out that it is possible to re-allocate sums of money for certain objects by diverting same from other sources and we pointed out to them the recommendations of the West Bengal College and University Teachers Association and the other bodies representing teachers. Now neither the Hon'ble the Chief Minister nor the Minister of Education had bothered to look into the matter and also to our allegations that they refused to see a deputation of the principals of the various colleges and also the other representatives of the various teaching bodies about the allocation of funds for education. Sir, I referred to the invidious distinction made between the non-government and government colleges and the Chief Minister admitted the same when he said, "I agree that there should not be, as far as possible, any great distinction in the matter of giving State patronage to the non-government and the government institutions. Sir, do his actions justify all these remarks made by him on the floor of the Assembly? Has he taken any trouble to find out from the various representatives their grievances and if so he could have modified his budget when it was being discussed on the floor of the Assembly he could have improved upon the Budget if he thought fit to act upon our recommendations. I contend, Sir, that he deliberately did not do anything regarding it. Now, Sir, I raise the point about the inadequacy of the funds provided to the non-government institutions in imparting technical education, particularly scientific education and to meet the laboratory needs of the I.Sc. and B.Sc. students. This is not a theoretical complaint. I will give you an instance from my own personal experience. I went to examine the B.Sc. students in their practical

examination in Chemistry of one of the oldest college in Calcutta and I may say the B.Sc. students are expected to do the quantitative analysis. Now I examined about 120 students and I found that only about 10 per cent. of them had handled any chemical balance. When I asked them why the remaining people could not do their quantitative analysis they said that their colleges had not enough chemical balances to give them proper training; neither they had the necessary staff. This is the way how things are happening and are going to happen in the educational field and the Chief Minister who wants the State to develop may know that this is the sort of development that we find.

Sir, I will refer also to the statistics about the food for which the Hon'ble Minister for Food was responsible. Now I understand that a memorandum had been submitted to the Hon'ble the Chief Minister and the Food Minister on behalf of the United Famine Resistance Committee and I am referring to the facts elaborated there.

[11-5—11-10 a.m.]

According to the statement of the Food Minister, the cereal requirement of West Bengal is 39 lakh tons. The total production of rice this year is 35.83 lakh tons, and after deducting 10 per cent. for seeds and wastage it comes to about 32.25 lakh tons. Now the deficit in total cereals according to the Government figures is about 6.75 lakh tons. Now according to the Government figures 10 lakh tons of wheat have been distributed this year to 71 lakhs of persons under statutory rationing and 61 lakhs under modified rationing. Deducting 10 lakh tons of wheat from the total requirement of 39 lakh tons of cereals the balance comes to 29 lakh tons which is far below the total production of rice in this State after the deduction of 10 per cent. 32.25 lakhs tons. Under statutory rationing the Government supplies only one seer of rice per

week per head. The total consumption of rice per year for 71 lakhs of rationed people at the rate of 1 maund 12 seers per head per year is equal to 3.4 lakh tons. For the remaining 27.86 lakh tons, the total requirement comes to 31.26 lakh tons. Now actually according to Government figures the total production of rice is 32.25 lakh tons and the total requirement, as I have stated just now, is about 31.26 lakh tons. So, there is a surplus, an actual surplus, or roughly about 1 lakh tons. What I mean to say is that in spite of this the Hon'ble Minister of Food has not thought fit to arrange rations in a way that is desired by the people of West Bengal.

[11-10—11-15 a.m.]

Sir, I would also like to point out to the appropriation under Civil Administration. During my last budget speech I pointed out that the amount allotted for the nation-building projects like Education, Scientific Departments, Medical and Public Health, Agriculture stands no comparison with the sum spent for the Civil Administration including General Administration, Administration of Justice, Jails and Convicts Settlements, and Police. In spite of our recommendations the Hon'ble Minister-in-charge of Finance did not change any of his provisions. I pointed out to the head under Scientific Departments. I said that the sums were being allotted to societies which are not scientific societies—societies like the Iran Society, the Calcutta Historical Society and so on. That is taking away money from the places where it was more required. The Chief Minister or the Education Minister or any Minister concerned did not accept this and they have still kept this item unchanged. These are the few instances which I bring to your notice. In spite of the fact that famine is staring us in the face—more than 40 per cent. of the people in the whole of West Bengal are suffering—the allocation for famine under the Head 'Famine' has not been increased. This is the fate

which our recommendations meet at the hands of the Ministers. I will point out to the Labour Minister without mentioning the names, because I think that the names of the persons who cannot answer for them should not be mentioned unnecessarily. Now there are indications of the vindictiveness on the part of managements, about suppression of normal trade union activities, and in one case the management stopped the factory for some reason, and then when they reopened the factory again they did not take in most of the persons who were connected with the union. This matter was referred to the Assistant Labour Commissioner, the Deputy Labour Commissioner and finally I myself drew the attention of the Labour Minister. So far nothing has been done regarding it, and this is the way how public finance is spent and how the departments are growing up. The Chief Minister repeats in season and out of season that this is a welfare State. I pointed out to him last time—I won't ask him to look to Russia for I have no knowledge of Russia, but he can look up to the instance of England. I would refer him to the University Grant Commission in England and the help that the University receives from the Government through that Commission. If you follow the example of England, at least partly, our State would be much happier. We pointed out that in many instances the Chief Minister or the Ministers concerned of the West Bengal Government had not been able to put proper pressure on the Central Government. They have not put the case of Bengal properly before the Central Government and so the case of West Bengal has been given a go-by. I refer to the subjects of railway regrouping, food allotment, readjustment of the boundaries of Bengal, apportionment of the proper share of West Bengal from income-tax and jute duty. In all these matters we find that although they have the whole section of the population in their support they have failed to benefit by it. They have not been able to

[Dr. Monindra Mohan Chakrabarty.]

[11-15—11-20 a.m.]

do anything for our State. It is a pity that they should let go the case of West Bengal in this way and it is no use our making recommendations. So we object to the West Bengal Appropriation Bill in the form in which it has been presented being passed.

The only remaining fact to which I would refer the Chief Minister is this. He talks very often of the amelioration of the condition of the middle-class unemployed. But, Sir, the instances I have referred to have all accounted for more unemployment and are going to cause more unemployment in Bengal.

Sir, Government have not been able to tackle properly the problem of refugee rehabilitation. Sir, the Chief Minister said the other day in the Legislative Assembly—

Mr. Chairman: Please do not refer to what has passed in the Legislative Assembly.

Dr. Monindra Mohan Chakrabarty: Sir, I have read it in the newspaper report. Can I not refer to newspaper reports?

Mr. Chairman: You cannot refer to the debate in the Legislative Assembly. Please do not refer to what has happened in the Legislative Assembly.

Dr. Monindra Mohan Chakrabarty: Sir, I accept your ruling.

Sir, as I was saying, in the matter of refugee rehabilitation our Government have not been able to secure half the amount of money that was secured by the refugees from West Punjab. All these are instances to show that this Government has failed in its duty towards the people of Bengal, and I therefore, oppose the Appropriation Bill in the manner in which it has been moved.

8j. Annada Prosad Choudhuri:

মাননীয় সভাপতি মহাশয়। এই “অ্যাপ্রোপ্রিয়েশন বিল” হয়ত করেক মিনিটের মধ্যেই পাশ হয়ে যাবে। এর বিভিন্ন খাতে যে টাকা ব্যয় করা হয়েছে আমি তার কিছু পরিবর্তনের কথা বলি না, এবং এক বিভাগে, একখানে যে টাকা আছে তা অন্যভাবে “ডাইভার্ট” করার কথাও আমি বলি না। কিন্তু আজ এই “অ্যাপ্রোপ্রিয়েশন বিল”এ যে সমস্ত টাকা যে যে বিভাগে কাজের জন্য ব্যয় করা হয়েছে সেই টাকার জন্য কাজ আটকায় না। কারণ, প্রত্যেকবারই বাজেটের সংশোধন ও “প্রভাইজড বাজেট”এর সংশোধন যে তারতম্য দেখা যায় সেই তারতম্য সম্বন্ধে আমি প্রধানমন্ত্রী মহাশয়ের দৃষ্টি আকর্ষণ করতে চাই। যদি সেই তারতম্য আমরা একটু আলোচনা করে দেখি তা হলে দেখি যে কোন কাজ করতে গেলে বাজেটে যে টাকার ব্যয় থাক, বা না থাক—এজেন্সি আটকায় না যতক্ষণ পর্যন্ত গবর্ণমেন্টের দিকে সংখ্যাগরিষ্ঠতা থাকে এই এসেমব্লিতে। তাই আমি এবিষয়ে কিছু বলতে চাই না। আমি প্রধানমন্ত্রী মহাশয়ের এবং বিশেষ করে খাদ্যমন্ত্রী মহাশয়ের দৃষ্টি আকর্ষণ করতে চাই যে আজকাল খাদ্যসমস্যাই হল প্রধান সমস্যা। উনি বিশ্বাস করেন বা না করেন, বা ও’র বিভাগ থেকে যে রিপোর্ট পান সে রিপোর্ট বিশ্বাসযোগ্য কি না সে তর্কের মধ্যে না গিয়ে আমি নিঃসংকোচে বলতে পারি যে গ্রামাঞ্চলে আজকে খাদ্যের অভাব অত্যন্ত ব্যাপক ও গুরুতর হয়ে উঠেছে। এতদিন আমরা একটা সমস্যার মধ্যে ছিলাম যে কেন্দ্রীয় গবর্ণমেন্ট কলিকাতার খাদ্যের অভাব পূরণ করবেন কি না। তার সমাধান আজ হয়ে গেছে। কলিকাতার খাদ্য যদি কেন্দ্রীয় সরকার দেন তা হলে এই সবকারের অংক থেকেই বোকা যায় যে আমাদের পল্লী অঞ্চলে খাদ্যের অভাব নাই, এবং সে জায়গায় এই কর্ডন প্রথার জন্য এক জায়গা থেকে অন্য জায়গায় খাদ্যের স্বাধীনভাবে স্বচ্ছন্দে লেন দেন হতে পারে না, চলাচল হতে পারে না বলে কোন জায়গায় অভাব খুব বেশি পরিমাণে দেখা যায় এবং অন্য জায়গায় অভাব থাকে না। তার ফলে আমার অভিজ্ঞতা থেকে আমি বলতে পারি যে, প্রধানমন্ত্রী মহাশয় ও খাদ্যমন্ত্রী মহাশয়ের কাছে অনেক টেলিগ্রাম এসেছে এই মেদিনীপুর জেলার বিভিন্ন অংশ থেকে এই প্রথাবোধের কথা জানিয়ে। কোন কোন জায়গায় দশ মাইলের মধ্যে ৩০ টাকা চালের মণ, এবং তার পাশে দুটো কর্ডন থাকায় চলাচলের ব্যাঘাতের জন্য ঐ জায়গায় ১৮ টাকা চালের মণ। যদি সেখানে চলাচল করতে দেওয়া হয়, তা হলে আমার বিশ্বাস, এবং সরকারের অংক থেকেও বোকা যায় যে মফস্বলের এক জেলা থেকে অন্য জেলায় গেলে—যেমন মালদ্বাজ প্রদেশে হয়েছে, যেখানে উৎকৃষ্ট অঞ্চল যেখানে অল্প দাম বেড়েছে এবং যেখানে অভাব আছে সেখানে দাম কমে গেছে। আমি ত কর্ডনপ্রথা তুলে দেবার কথা বলছি। অবশ্য শোনা যাচ্ছে জানুয়ারি মাস থেকে কর্ডনপ্রথা তুলে দেওয়া হবে। কিন্তু জানুয়ারি মাসের আগেই এই করেক মাস যদি তুলে দেওয়া হয় তা হলে অবস্থার অনেক উন্নতি হতে পারে। তা ছাড়া কোথাও যে তুলে দিয়েছেন একথা শুনাই বিশ্বাস করতে পারি নি; কিন্তু ২৬এ ডিসেম্বরের কলিকাতা গেজেটে ইলেকশনের আগে যখন ঘাটাল মহকুমা থেকে কংগ্রেসের

লোকেরা এলে খাদ্যমন্ত্রী মহাশয়ের কাছে দরবার করলে যে ঘটনা মহকুমা শহরের ২ মাইলের মধ্যে প্রায় ১৫০ গাড়ী যান আটকে রাখা হয়েছে এবং লোক চঞ্চল হয়ে উঠেছে আর নির্বাচনের সময় এর গুরুত্ব প্রতীক্ষিত হতে পারে—তখন গোয়েটে নোটিফিকেশন বেরুল—

"I hereby exempt, etc."

[11-20 to 11-25 a.m.]

সেটা ২০ দিন পর্যন্ত অর্থাৎ ১৫ই জানুয়ারি পর্যন্ত বলবৎ থাকবে। আমাদের ওখানে ঘাটলে ভোট ছিল ১২ তারিখে। আমরা মনে মনে জিজ্ঞাসা করেছি আমাদের এ সৌভাগ্য কেন ১২ই এবং ১৩ই তারিখে হঠাৎ উঠে যাবার? ২০ দিন উঠে গেল কেন এই ঘনচাল ধরাধারি করা? তখন অনুসন্ধান করে জানলাম যে এই-সব জেলার কোন কোন জায়গায় নির্বাচন হতে বাধা ছিল, তাই ১৫ই তারিখ পর্যন্ত হয়েছিল। তাই যদি যদি রাজনৈতিক কারণে ইলেকশনের আগে ২৬এ ডিসেম্বর ১৯৫১তে নোটিফিকেশন দিয়ে যান চলাচলে যে বাধা ছিল তা তুলে দেওয়া যেতে পারে তা হ'লে আজ দেশশুদ্ধ লোক যখন হার! হার! করছে, ডেপুটেশন পাঠাচ্ছে, টোলগ্রাম করছে, দরখাস্ত দিচ্ছে তখন তারা কি যে অসুবিধার সম্মুখীন হয়েছেন তা যদি অনুগ্রহ করে জানান তা হ'লে কেন যে এই চলাচলের বাধা তুলে দেওয়া যায় না সে জিনিসটা আমরাও বুঝতে পারি, আর যারা আপত্তি তুলেছেন তারাও বুঝতে পারেন। কারণ এতদিন পর্যন্ত যে সমস্যা ছিল—কালিকাতার সমস্যা—সেই কালিকাতার যে খাবার অভাব সেটা যদি বাহিরে থেকে দেওয়া হয় তা হ'লে যে খাবার চাল এখন এখানে আছে সেটার যদি এক জায়গা থেকে অন্য জায়গায় চলাচল সম্ভব হয় তবে দামের একটা সমতা আসবে। আর এতে আমরা কোন অনিশ্চিতের মধ্যে খাপিয়ে পড়ছি না। মালদ্বীপ রাজ্যে এই কয়েক মাসের অভিজ্ঞতা থেকে দেখছি তারা সেখানে বেশ সাহস করে এগিয়ে চলেছেন; কিন্তু আমরা সে পথে যাচ্ছি না কেন?

তারপরে টাকা ত আমরা বরাদ্দ করি; আমরা কাজ চাই; কাজও কিছ হয়। কিন্তু অনেক কথা পূর্বে বলেছি সেই-সব কথা আবার উল্লেখ করতে গেলে প্রধানমন্ত্রী মহাশয় চটে উঠবেন, তবে তাকে এখন দেখছি না তিনি বুঝি চলে গেছেন, যাক।

এখন শিক্ষার কথা। গত পরশু দিন কেন্দ্রীয় আইন বিভাগীয় মন্ত্রী মাননীয় শ্রীযুক্ত চারচন্দ্র বিশ্বাস মহাশয় যা বলেছেন তার কিছ অংশ যদি সত্য হয় তা হ'লে ভাবতে হয় যে টাকা পরস্যা যা আমরা বরাদ্দ করি সেটা জলে ফেলে দেওয়া হচ্ছে।

Sri Biswas who was replying to the debate on the Prevention of Corruption (Second Amendment) Bill said that certain disclosures about the working of the Calcutta University were made by a paper in Calcutta.

সর্বোচ্চ বিদ্যায়তন আমাদের দেশের

and this was ultimately followed up by the papers and the whole disclosure turned into a scandal.

প্রধানমন্ত্রী মহাশয়ের দৃষ্টি আকর্ষণ করতে পারি—উনি যদি জুলে গিয়ে থাকেন—সেই 'লোকসেবকের ফেটোস্টেট'। 'দীপস ওয়াজ পাবলিশড বাই দি পেপার অ্যান্ড ওয়াস লেটার ফাউন্ড টু বি করেড'। কিন্তু তিনি আমার প্রশ্নোত্তরে সেটা "আনহেল্পফুল টু দি স্টেট" বলেন নি, বরং বলেছেন 'ইট ইজ এ কোরেশেন অব ওপিনিয়ন'। তার ফলে শ্রী বিশ্বাস বললেন

"I tried to publish the report and purify the University but all my efforts failed"

আমাদের আইন বিভাগীয় মন্ত্রী মহাশয় আমি ওটা "স্পের্শিফিক" ঘটনা বলবার জন্য আমাকে বলেছিলেন "আই ওয়াজ ওয়াকিং আন্ডার ফিলিং অব ফ্রাসট্রেশন।" কিন্তু সরকারের যিনি আইন সচিব তিনিও যদি এখানকার আইন মন্ত্রীর মত হন তা হ'লে বলতে হয় যে, "হি ওয়াজ অনলস ওয়াকিং আন্ডার এ ফিলিং অব ফ্রাসট্রেশন।" তা হ'লে তারা শিক্ষার খাতে যে টাকা ধরেছেন তা কোথায় চলে যাবে যদি সর্বোচ্চ বিদ্যায়তনের ব্যবস্থা এই হয়।

তারপরে আরও একটা কথা—প্রধানমন্ত্রী মহাশয় উত্তর দেবার সময় বলবেন আজকাল ওর সব জিনিস মনে থাকে না জুলে যান, শুনছি যে

the Syndicate of the University contended that formal examination and cross-examination were not made by the Committee

এবং তারা যে প্রস্তাব পাশ করেছিলেন ঐ প্রস্তাবের খসড়া তার বাড়ীতে বসেই লেখা হয়েছিল।

[11-25 to 11-30 a.m.]

Dr. Bidhan Chandra Roy: I do not think that is correct at all; nothing was done in my house.

Sj. Annada Prasad Choudhuri: Thank you, Sir.

তারপরে আইনসভার কার্যকলাপ বা যে দল গবর্ণ-মেন্ট পরিচালনা করেন তাঁর সম্বন্ধে সমালোচনার দরকার আছে। সেজন্য যাতে সুষ্ঠু গঠনমূলক সমালোচনা হয় তা করা উচিত, কিন্তু সেই সমালোচনার দায়ে যারা পড়ে যান তাঁরা নিশ্চয়ই সেটা পছন্দ করেন না তা হ'লেও সেটা জাতির পক্ষে মঙ্গলজনক। সেইজন্যই অন্য দেশে বিরুদ্ধ দল রাখতে হয়।

আমাদের দেশে যদি সমালোচনা করা হয়, বা আইন-সভায় কিছ বলা হয়, তাঁরা তা গ্রাহ্য করেন না। তাঁর অনেক কারণ আছে। যদি কোন প্রশ্ন তোলা হয়, যদি কোন দলনীতির কথা বলা হয়, তাঁরা বলেন "ভেগ চার্জেস" করছ, কিছই বুঝতে পারি না। যদি বিশেষ বিশেষ ঘটনার কথা বলা হয় তাহলে উত্তর না দিয়ে এড়িয়ে যান। তারপরে খবরের কাগজে গিয়ে তাদের মারফত জনসাধারণের দৃষ্টি আকর্ষণ করতে হয়, যাতে জনসাধারণ প্রতীকার করার জন্য এগিয়ে

[Sj. Annada Prosad Choudhuri.]

আসেন। তা ছাড়া শুল্ক সমালোচনা যারা করেন তাঁরা আইনসভার বিরোধী দল নন, তাঁরা আর এক প্রতিষ্ঠান। যারা সরকারের বিভিন্ন কাজের সমালোচনা করে তাঁদের যথার্থভাবে তিক পথে চালিত করতে পারেন সে সংবাদপত্র। যে সংবাদপত্রে সত্য ঘটনা প্রচাণ করে সরকারের সমালোচনা করা হয় তার গলা টিপে দেওয়ার জন্য সরকারের হাতে যে অমোঘ অস্ত্র আছে—বিজ্ঞাপন, তা ত্যাগ করা হয় এবং বিজ্ঞাপন বন্ধ করে দেওয়া হয়। পক্ষান্তরে যারা তাঁদের সাহায্য করেন তাঁদের বিশেষ বিশেষ “সাবাসিডি”র বন্দোবস্ত হয়। আর, এই অল্পদিনের মধ্যেই “সাবাসিডি”র বন্দোবস্ত হয়েছিল “ফায়ার সার্ভিস অ্যাক্ট” অনুসারে। কাগজের গদামে যারা কাগজ রাখেন তাঁদের লাইসেন্সের জন্য টাকা দেবার বন্দোবস্ত আছে। কিন্তু বড় বড় খবরের কাগজের বেলা অন্য রকম। এজন্য সব কাগজের ব্যবসায়ী এবং ছাপাখানার লোকেরা গবর্ণমেন্টের কাছে দরবার করলেন। গবর্ণমেন্ট বললেন “না, কাগজ অত্যন্ত দাহ্য পদার্থ”; সেই কাগজ যেখানে রাখা হয় তাকে রক্ষা করার জন্য টাকা দিতে হবে; তা না হলে “ফায়ার সার্ভিস মেনটেনেন্স” করতে পারব না। কিন্তু ২৬এ জুলাই-এর গেজেটে সংবাদ দেওয়া আছে—একটা “নোটিফিকেশন” দেওয়া আছে—আমি লাইব্রেরিতে গিয়েছিলাম, কিন্তু ২৬এ জুলাই-এর গেজেটে লাইব্রেরিতে এখনও পৌঁছায় নি; এসেম্বলি লাইব্রেরিতে ২৬এ জুলাই-এর গেজেট পাওয়া গেল না আজ সকালেও আমি খোঁজ করলাম, বললাম এ বিষয়ে আলোচনা হবে, কথা উঠবে, কিন্তু তাঁরা বললেন তাঁদের বোজান্তিতে ত লেখা নাই; কাজেই ২৬এ জুলাই-এর গেজেট এসেম্বলি লাইব্রেরিতে এখনও পৌঁছায় নি। সেই গেজেট পেলে আমি পড়ে শুনিয়ে দিতে পারতাম যে বড় বড় খবরের কাগজ—যা “বিল” দলহাব করেন তাঁদের লাইসেন্স লাগবে না। এটা গেজেট করে দেওয়া হয়েছে। বড় বড় খবরের কাগজওয়ালাদের কাছে চিঠি গেছে। ছোট কাগজওয়ালারা যে-নকম সমালোচনা করে তাব জন্য তাদের টিপে মারবার ব্যবস্থা হতে পারে এবং সেই ব্যবস্থা হচ্ছে। তাই এই “অ্যাপ্রোপ্রিয়েশন” বিলে বলব কি? এতে টাকা বরাদ্দ করাও যা, না করাও তাই। বরাদ্দ না থাকলেও খরচ হয়, আবার বরাদ্দ করলেও খরচ হয় না। কারণ “বিভাইজড বাজেট” ভোটে পাশ হয়। তাই বীল যে টাকা যেমন বরাদ্দ হয় সেই টাকা সেইভাবে কাজে লাগাবেন। যে আবহাওয়ার মধ্যে সেই বিভাগের কাজ পরিচালনা করা হবে সেই আবহাওয়ার কথা অনেক বলেছি।

আমি একটা কথাব প্রতি সরকারের দৃষ্টি আকর্ষণ করতে চাই। দু’দিন পরে চলে যাব; কিন্তু এর পরে উত্তর দেবার সময় আগেকার মত অবহেলা না করে যে যে বিষয়ে যে যে কথা বলা হয়েছে তার ঠিক ঠিক উত্তর যদি মন্ত্রী মহাশয় দেন, তা হ’লে আমরা সুখী হব।

[11-30—11-35 a.m.]

Sj. Mohitosh Rai Choudhuri:

সভাপতি মহাশয়! আমি আগেই স্বীকার করছি যে আজ এই যে আবহাওয়ার ভিতর আমাদের এই

“অ্যাপ্রোপ্রিয়েশন” বিল সম্বন্ধে বিচার করার জন্য ডাকা হয়েছে তাতে আমি বিশেষ কিছু বলতে উৎসাহ বা উদ্দীপনা বোধ করছি না। প্রথমত আপনি আগেতেই আমাদের বলেছেন যে আমাদের শক্তি এখানে অতি সীমাবদ্ধ; বিশেষ কিছু আমরা বলতে পারব না। “এজেন্ডা”র ঘোষণা করা হয়েছে যে আমরা কিছু “রিকমেন্ডেশন” করতে পারব। “রিকমেন্ডেশন” করতে গেলে তার কিছু রদবদলের কথা আসে; অর্থাৎ রদবদল করতে পারব না, কারণ এটা “মানি বিল”। তবে এর ভিতর আশার কথা যে প্রধানমন্ত্রী মহাশয় অনুগ্রহ কোরে আমাদের জানিয়েছেন যে যদিও আমরা “অ্যামেন্ডমেন্ট” হিসাবে কোন “রিকমেন্ডেশন” করতে পারব না, তা হলেও বহুতাব ভিতরে আমাদের যা “সাজেস্‌সন” তা দিতে পারব। সেই সাহসেই বাজেট সম্বন্ধে দুই একটি কথা নিবেদন করতে চাই।

অনেক মন্ত্রী মহাশয় এখানে আসেন নি। সেজন্য আমরা দুঃখিত। তবে স্বয়ং প্রধানমন্ত্রী মহাশয় যখন উপস্থিত আছেন তখন অন্য মন্ত্রী না থাকলেও দৃষ্টেবিশেষ কারণ নাই। সুতরাং তাকে সম্বোধন করেই যা কিছু বলবার বলব।

আমি শিক্ষা বিষয় সম্বন্ধেই আমার মন্তব্য সীমাবদ্ধ রাখব, কারণ সময় সংক্ষেপ। শিক্ষা সম্বন্ধে আমি প্রথমেই বলব যে, বাজেটে যে টাকা ধরা হয়েছে তা অত্যন্ত অসন্তোষজনক। প্রায় ৫ কোটি টাকা সর্ববাক্ষে শিক্ষা সম্বন্ধে ব্যয় ধার্য হয়েছে, কিন্তু সে টাকায় আমাদের প্রয়োজন সমাকল্পে মিটেবে না। এই প্রসঙ্গে সব চেয়ে জব্বাবী যে শিক্ষকদের পাবিশ্রমিক সেই কথাই প্রথমে বলব। শিক্ষকদের পাবিশ্রমিকের কথা বলতে গেলে বন্ধুদের ভিতর অনেকেই হয়ত হেসে উঠতে পারেন, হয়ত বিদ্বেষও করতে পারেন, কেন না অনেক স্থলে দেখেছি শিক্ষকেরা শিক্ষা সম্বন্ধে কিছু বলতে উঠলে তাঁদের বিদ্বেষ করা হয়, কিন্তু আপনাদা সকলেই জানেন যে যদি শিক্ষকে বাস্তবিক সাক্ষ্যদান করতে হয় তা হলে শিক্ষকদের সন্তুষ্টি কথার বিশেষ প্রয়োজন। সন্তুষ্টি কথা বললে হয়ত ঠিক বলা হবে না, শিক্ষকেরা যাতে যেতে থাকেন সে সম্বন্ধে কিছু ব্যবস্থা করা দরকার। যতদূর পর্যন্ত এই ব্যবস্থা না করা হবে ততদূর পর্যন্ত শিক্ষার পাবিকল্পনা যতই সূচনিক এবং সুদূরপ্রসারী হউক না কেন, সেই শিক্ষা-পাবিকল্পনাতে কোন ফলই হবে না।

প্রথমে প্রাথমিক শিক্ষার কথাই ধরা যাক। প্রাথমিক শিক্ষা সম্বন্ধে বর্তমানে যে পাবিকল্পনা হয়েছে সেটা যে অনেকাংশে সূচনিক সে বিষয়ে সন্দেহ নাই, কিন্তু সেই পাবিকল্পনা সম্পূর্ণরূপে বার্থ হয়েছে। আমি প্রথম দিনে এই হাউসে বলেছিলাম এবং আজও তাব পুনরাবৃত্তি করে বলছি যে লক্ষ লক্ষ কোটি কোটি টাকা যে প্রাথমিক শিক্ষার জন্য ব্যয় হচ্ছে সে অনর্থক হচ্ছে। কারণ, সেই পাবিকল্পনা অনুসারে কাজ করার ভার যাদের উপর আছে তাঁরা নানাবাক্ষে অভাবগ্রস্ত এবং তাঁরা নিজের নিজের কতকা কার্য সম্পূর্ণ মনোনিবেশ করতে পারছেন না। মাধ্যমিক শিক্ষাক্ষেত্র এবং কলেজের উচ্চশিক্ষাক্ষেত্রের অবস্থাও ঐরূপ। আমি শিক্ষা-সমস্যার আলোচনা নিয়ে গত ২০ বছর ব্যাপ্ত আছি, এবং প্রত্যেক স্থানেই আমি একথা বলে থাকি যে শিক্ষাপাবিকল্পনা সম্বন্ধে বিশেষ আলোচনা করায় আমি উৎসাহ বোধ করি না। কারণ, শিক্ষা বিস্তারের বাঁরা নাকি মূল্যধার ও কর্ণধার

ভীষের বেঁচে থেকে এবং সন্তুষ্টচিত্তে কাজ করার জন্য যা প্রয়োজন তা করতে আমরা মোটেই প্রস্তুত নই। আমি ব্যাপকভাবে কথা বলছি এবং গভর্ণমেন্ট এবং জনসাধারণ সকলের নিকটই এ সম্বন্ধে নিবেদন করছি। আমরা শৃঙ্গু গভর্ণমেন্টকে সমালোচনা করে সন্তুষ্ট থাকতে পারি না। গভর্ণমেন্টের ট্রাটি-বিচার্জ অনেক আছে, কিন্তু একটা কথা সব সময়ে মনে হয়—“উই গোট দি গভর্ণমেন্ট হুইচ উই ডিসার্ড”। গভর্ণমেন্ট ত আমাদের জনসাধারণেরই প্রতিনিধি। জনসাধারণ—আমাদের দেশের লোক—আমরা প্রকৃত-ভাবে শিক্ষা চাই না, শিক্ষার জন্য আমরা ব্যয় করতে চাই না, সুতরাং আমাদের প্রতিনিধি যে গভর্ণমেন্ট তাঁরাও যে শিক্ষা সম্বন্ধে বিশেষ কিছু ব্যয় করতে চাইবেন না, বা ব্যয় করতে ইচ্ছাও বোধ কববেন সেটা কিছুই বিচারে নয়। আমি কিছুদিন আগে শিক্ষকগণকে কিছু বৈলিফ দেওয়ার জন্য একটা মেমোরান্ডাম প্রধানমন্ত্রী এবং শিক্ষামন্ত্রীর নিকট উপস্থিত করেছিল। আমি আজকে সেই মেমোরান্ডামের কথা গভর্ণমেন্টকে জানিয়ে দিতে চাই যে সেটা অত্যন্ত জরুরী। দাবী বিশেষ কিছু নয়। তাতে বাল-শিক্ষা প্রাথমিক শিক্ষকদের ১০, টাকা হিসাবে, মাধ্যমিক শিক্ষকদের ১৫, টাকা এবং বালক শিক্ষকদের ২০, টাকা আপাতত “ডায়ালিসিস অ্যান্ডিসিস” দেওয়ার ব্যবস্থা করেন। মন্ত্রীদেব বেতন বৃদ্ধি হয়, এবং আমরা স্বাধীন ব্যবস্থাপকসভার সদস্য তৈরীও কিছু বেতন দেওয়া হয়, যদিও তার বিশেষ কিছু প্রয়োজন আমি অনুভব করি না, তবুও আমরা বেতন পাচ্ছি। তা হওয়াতে মাল্টিগণের বেতন বৃদ্ধি করা হয়েছে “কট্ট” হব লিভিং” বেড়ে গেছে বলে, এবং আমরাও জানি আমাদেরও ঐ কারণে বেতন বৃদ্ধি পাবে—

[11-15 to 11-40 a.m.]

Sj. Harekrishna Das: Sir, Is it necessary to discuss all these things today?

Mr. Chairman. I think he is trying to make out a case about certain recommendations which are put before the House.

Sj. Mohitosh Rai Choudhuri:

আমাদের কংগ্রেসী বন্ধু! বিশেষ বাস্তব হলেন না। আমি প্রধানমন্ত্রী এবং অন্য মন্ত্রীদেব কাছে “সাজেস দন” হিসাবেই কথাগুলি বলছি। তাঁরা ত আমায় কথা অবান্তর বলে আপত্তি করছেন না। তবে—

Why should he be more loyal than the king himself?

এই মেমোরান্ডামে দাবীয়ে দিয়েছি এই দাবী মিটাতে ৮০।৮৫ লক্ষ টাকার প্রয়োজন হবে। তা ছাড়া বিভিন্ন শিক্ষাপ্রতিষ্ঠানের উন্নতিকল্পে ১০ লক্ষ টাকা আবও লাগবে। সর্বসমেত ৯০।৯৫ লক্ষ টাকা প্রয়োজন হবে। এই ৯০।৯৫ লক্ষ টাকা যদি গভর্ণমেন্ট শিক্ষার খাতে অতিরিক্ত মঞ্জুর করেন তা হলে শৃঙ্গু যে শিক্ষক-গণের উপসাহািবধান করে শিক্ষার উন্নতি করা হবে তা নয়, বরঞ্চ গভর্ণমেন্টের বিরুদ্ধে যে

পূজীকৃত অসন্তোষ সমস্ত দেশের মধ্যে বিস্তৃত হয়েছে এবং যে অসন্তোষ শিক্ষকগণের মধ্যে এবং দেশের মধ্যে আরও ব্যাপকভাবে সংকীর্ণিত হচ্ছে সেই অসন্তোষও কিছুটা বন্ধ হয়ে যাবে। সুতরাং শৃঙ্গু শিক্ষার উন্নতি নয়, শৃঙ্গু শিক্ষকগণের অবস্থার উন্নতি নয়, গভর্ণমেন্টের নিজের স্বার্থের জন্য ও শিক্ষকগণের কথিগুণ পরিতোষ সাধনের জন্য প্রস্তুত হওয়া আবশ্যিক। এ জন্য যে টাকার প্রয়োজন সে টাকা গভর্ণমেন্ট কিভাবে তুলবেন জানি না; যদিও আমি এ সম্বন্ধে প্রধানমন্ত্রী ও শিক্ষামন্ত্রী মহাশয়ের সহিত সাক্ষাতে এবং মেমোরান্ডামে আমার প্রস্তাব জানিয়েছি। গভর্ণমেন্ট ব্যয়সংকেত করতে যদি না পাবেন আর তা যদি অসম্ভব বলে মনে করেন তা হলে এই প্রয়োজন মিটাবার জন্য অন্যভাবে অর্থ সংগ্রহ কি করে করা যায় তার জন্য চেষ্টা করুন। অন্যভাবে করতে গেলে হয়ত জনগণের কাছে অসন্তোষভাজন হতে হবে। কিন্তু অসন্তোষভাজন হওয়ার জন্য বর্তমান গভর্ণমেন্ট—বিশেষতঃ আমাদের প্রধানমন্ত্রী—কিছুমাত্র ভীত নন। সুতরাং জনগণের মঙ্গল যদি বাঞ্ছনীয় হয়, এবং তিনি যদি বিশ্বাস করেন যে ব্যয়সংকেতের দ্বারা শিক্ষার উন্নতি হবে না—তিনি আগেই এটি হাউসে বলেছেন যে, অর্থসংগ্রহ করার জন্য প্রস্তুত হতে হবে—তা হলে সেই অর্থসংগ্রহের জন্য জনসাধারণের সাহায্য ও সহানুভূতি চাইতে হবে, এবং শিক্ষকদের পক্ষ থেকেও তাঁরা যাতে জনসাধারণের সহানুভূতি থেকে এ বিষয়ে বিগ্ৰহ না হন তার ব্যবস্থা করতে হবে। এজন্য বিশেষ সাবধানতা ও সাহসের সহিত অগ্রসর হতে হবে। এক দিকে যেমন প্রত্যেক ফার্মিগের অপব্যয় বন্ধ করতে হবে তেমনি সঠক সঠক যদি প্রয়োজন হয় ত নতুন কব বৃদ্ধির জন্য প্রস্তুত হতে হবে। কর-বৃদ্ধির কথা বলতে আমি সংকেত অন্তর্ভুক্ত করছি কিন্তু এটা “নিবলমেন্টসন” হিসাবে বলছি না, শৃঙ্গু আমাদের চাবিধারে যে বন্দোব আছেন তাঁদের অবগতির জন্য বলছি। কথ্যটি আর একটু বিশদ করে বলতে চাই। বর্তমানে “ব.বাল এডিসি”তে যে শিক্ষক-রা গাফলি হতে ৩০ লক্ষ টাকা পাওয়া যায়। শিক্ষকদের বার্ষিক ১২০ আনার বেশি কোন ফার্মিগের উপর পড়ে না। বলা হয় না। যখন প্রাথমিক শিক্ষা টারি বেসলেব জন্য “ফি” হওয়াতে তখন প্রাথমিক শিক্ষকদের কোন পিগগে হতে না তা বৃদ্ধিতে পারি না। যে কৃষকপরিবার বার্ষিক ১২০ আনা টাকায় দিচ্ছে তার অত্যন্ত দুটো ছেলে এক বছর ফি পড়বে। ১৮ আনা দ্বারা যদি মাঠিনা ধরা যায়, তা হলে তাই বছরে ১৮ টাকা সাশ্রয় হবে। সুতরাং সেই শিক্ষকদের ১২০ আনার জায়গায় ১৮ আনা কেন হবে না বৃদ্ধিতে পারি না। এই শিক্ষকদের প্রথম যখন বাংলাদেশে প্রচলিত হয় ২০ বৎসর আগে তখন সেই শিক্ষকদের প্রচলিত করার জন্য বাংলার এক প্রান্ত থেকে আর এক প্রান্ত পর্যন্ত জনসাধারণকে আমাদের বোঝাতে হয়েছিল।

Mr. Chairman: You are elaborating upon the ways and means of finding the money. Please come to the Appropriation Bill.

Sj. Mohitosh Rai Choudhuri: With all deference to your ruling

[Sj. Mohitosh Rai Choudhuri.]

এ-সব কথা যদি আমরা বলতে না পারি তা হলে আমরা কি কি বলব, আমরা কিভাবে কি 'সার্জেন্সি' করব, ডাঃ রায় অনুগ্রহ করে তা বললে তাগপরেও আমাদের যার কিছু 'সার্জেন্সি' থাকে, আমরা এখানে বলতে পারি 'এম্বেড্‌মেন্ট' আকারে, না হয় অন্য আকারে। আর যদি কিছুই না বলতে পারি, কিছুই বলার আমাদের অধিকার না থাকে—

What are we here for? What is the House meant for?

এ সম্বন্ধে আমাদের যা প্রস্তাব আমরা যদি—

[11-40---11-45 a.m.]

Dr. Bidhan Chandra Roy: I have already had the suggestion from you to increase the education cess and that is one of the items we are considering, so you need not labour that point, we have already taken note of that.

8j. Mohitosh Rai Choudhuri:

ডাঃ রায়ের কাছে আমি বিশেষভাবে কৃতজ্ঞ হলাম। কাজেই এসময়ধে আমি আর বিশেষ কিছু বলব না। আমি যে “সান্তোষসান” করেছিলাম সেদুলা এখানে বলতে হচ্ছে। এজন্যর সভাসদেও তাতে সহানুভূতি না পেলে শেষ পর্যন্ত তাতে কোনও ফলই হবে না। কাজেই তাইবে জ্ঞনা “সান্তোষসান” সম্বন্ধে বিলজ্ঞানার্থি। আর একটিমাত্র কথা আমি এখানে বলতে চাই; কারণ, সেটা অনেকের কাণে পৌঁছে দিতে হবে। আমার কথা হচ্ছে : ৫ পরমা সেল ট্যাক্স “এক্সক্লুসিভাল ফর এডুকেশন”—কেবল শিক্ষার জন্য বায় হবে এই ঘোষণা করে—৫ পরমা সেল ট্যাক্স ব্যক্তি কত ইউক। দেশের লোককে তাগ স্বীকার করার ভিত্তি হবে।

(At this stage the blue light was lit.)

আর আমি এবিষয় সম্বন্ধে বেশী কিছু বলছি না, সভাপতি মহাশয়, যখন উতলা হয়েছেন। শিক্ষার খাতে বিভিন্ন “হেড”এ আমি কি আর ৫ মিনিট বলতে পারি?

Sjkt. Santi Das:

হাউসে আসবার আগে মেম্বর কি জানতেন না তাঁর
কি “ফাংসন”?

Sj. Mohitosh Rai Choudhuri: I thought she put the question to the Chairman, and therefore I took my seat.

আমি আর একটা কথা বলছি যে, যে টাকা শিক্ষার
খাতে বিভিন্ন ব্যয়ের জন্য ব্যরা হয়েছে সেটা যাতে
ভালভাবে ব্যয় হয় তা দেখতে হবে। যেমন,
“হোমস সাইন্স” এর জন্য এত টাকা ব্যয় করা
প্রয়োজন কি না তা দেখতে হবে। তার পরে
আমাদের “বেসিক স্কুলস”—মহাধা গান্ধী
“বেসিক স্কুলস” এর কথা বলছিলাম সেটা
এইজন্য নয় সকলে সহজে হাতেকলমে শিকিত

হবে এই “বৈসিক ইনস্টিটিউশন”এর মাধ্যমে; কিন্তু আমরা এই আমল উদ্দেশ্যের কথা ভুলে গিয়ে শূন্যের উপর প্রত্যেকটির বিল্ডিংয়ের জন্যই ৪০ হাজার টাকা ব্যয় করছি? কিছদিন আগে প্রীয়ারাজগোপাল আচার্য মাদ্রাজে বঙ্গবান্ধব সভায় বোর্ডিংহলেন এই যে খরচ-করা ইট-কাঠের জন্য এ খরচ-করাটা একটা অত্যন্ত অপব্যয়। তিনি পার্বলক ওয়ার্কস ডিপার্টমেন্টকে বলেছিলেন তাব “এনিমি নং ২”। ১নং শত্রু হল কমিউনিষ্ট, আর ২নং শত্রু এই পার্বলক ওয়ার্কস ডিপার্টমেন্ট। এই ব্যয়বাহুল্যের দরুন অনেক কাজ হয় না। শূন্যই এবছরও বহু টাকা ধরা হয়েছে এই ইট-কাঠের জন্য। আবার দৃঢ় বিশ্বাস যাদ আর কিছ্র কম খরচ য়ে এই বিল্ডিং তৈরি করার বিষয়ে তা হলে ভাল হয়। এ-সম্বন্ধে আমি প্রধানমন্ত্রীর মহাশয়ের দৃষ্টি আকর্ষণ করছি। পূর্বে যখন এবিষয় সম্বন্ধে বলেছিলাম তখন তিনি “কন্‌ভিনসড” হননি। তবু এ-সম্বন্ধে আবার তাকে বলছি। আর একটা কথাও মনে করিয়ে দিচ্ছি।

[11-45—11-50 a.m.]

যখন স্যার সুরেন্দ্রনাথ বানার্জী মন্ত্রী হ'লেন, সে সময় গভর্ণমেন্ট "বুরাল চ্যারিটেবল ডিসপেন্সারী" ও থানা চ্যারিটেবল ডিসপেন্সারীর জন্য "বিল্ডিং এক্সপেন্ডিচার" বহু টাকা করতেন। বহু টাকা বিল্ডিং না করলে কোন থানায় বা কোন রুরাল এলায়ায় ডিসপেন্সারী হত না। স্যার সুরেন্দ্রনাথ বানার্জী এই ব্যবস্থা বাতিল করে ২৫০ টাকা ডিলেজ ডিসপেন্সারী স্কীম এবং ১,৫০০ ডিসপেন্সারীর স্কীম করেন। আমি তখন অমৃত-বাজারের সহকারী সম্পাদক হিসাবে এ কাগজের সংগে সংশ্লিষ্ট ছিলাম। তখন ষ্টেটসম্যান, ইংলিশ-মান বিশেষ আপত্তি করেছিলেন। তাঁরা বলেছিলেন এই সামান্য বায়ে যদি "বিল্ডিং স্ট্রাকচার" করা হয় তাকে ফল খরাপ হবে, "রেকার্ডিং এক্সপেন্ডিচার" অনেক বাড়বে। উত্তরে স্যার সুরেন্দ্রনাথ বলেছিলেন "রেকার্ডিং এক্সপেন্ডিচার" বেড়ে যেতে পারে কিন্তু এক সংগে "ক্যাপিটেল এক্সপেন্ডিচার" বেশি করা বা ক্ষমতা যে গরীব দেশের নেই তার পক্ষে অন্য পথও অন্য নাই। সেই কথাই আজ বলা হয়। এই যে বেসিক স্কুল এর জন্য ৪০৪৪ হাজার টাকা করে খরচ না করে আরও "লেস কন্ট্রোল স্ট্রাকচার" করে শিক্ষার উপকারের জন্য শিক্ষকদের পারিশ্রমিক বৃদ্ধি কোবে তাদের কার্যে উৎসাহ দিল।

আর একটা কথা বলব। কলেজ এডুকেশনের জন্য যে টাকা ধরা হয়েছে—বিশেষত “ডিম্পার্সেল স্কিম”এ যে টাকা ধরা হয়েছে—আমরা এখানে দেবেনবাবুর কাছ থেকে শুলনাম যে সে টাকা ভালভাবে বায় হয় না। দেবেনবাবু আমাদের অপব্যয়ের একটি উদাহরণ দিয়ে বলেছিলেন যে টাকা আর বসিরহাটের বাবখান ৪ মাইল। টাকা কলেজের জন্য বহু টাকা “গ্রান্ট” করা হয়েছে, অথচ বসিরহাট কলেজে তার চেয়ে অনেক বেশি ছেলে এবং তার প্রবেশাভিভান্ডাও অনেক বেশি রয়েছে, কারণ এটা কলেজটি ভিসনালি ইউনিটের ভিতর। অথচ বসিরহাট কলেজকে কিছু দেওয়া হয় না বললেই হয়—অথবা অতি সামান্যই দেওয়া হয়। অথচ ইউনিভার্সিটি “অর্থার্ডার” বলেছিলেন টাকাতে কোন কলেজ করার প্রয়োজন নাই। বাস্তবিক টাকী বসিরহাট কলেজ বখন মাত্র ৪ মাইল দূরে তখন সেখানে বহু

টাকা খরচ করে কলেজ করার প্রয়োজনই বা কি? বিশ্লেষণ করলে এই রকম অনেক জায়গাতেই দেখতে পাব যে, যে টাকা মঞ্জুর হয়েছে সে টাকা বিশেষ ভালভাবে ব্যয় হচ্ছে না। ("এ ভরেনস": টাকীতে ভূতপূৰ্ব্ব শিক্ষামন্ত্রী হরেন রায় চৌধুরীর বাড়ি।) আমি জানি না হরেন রায় চৌধুরী মহাশয়ের বাড়ি কোথায় এবং আজ এই বর্তমান গভর্ণমেণ্টের সঙ্গে তার কি সম্পর্ক তাও জানি না। তবে এই সমস্ত অভিযোগ সম্বন্ধে আমি গভর্ণমেণ্টকে তদন্ত করতে অনুরোধ করছি। তারা এটা করুন যে, যে টাকা যে বিভাগের জন্য ধরা হয়েছে সেটা যেন ভালভাবে ব্যয় করা হয়।

এই কথা বোলে আমি গভর্ণমেণ্টকে আবার বলব যে, যে "ফর্ম" এই বিল আনা হয়েছে তা আমার সম্পূর্ণ সমর্থনযোগ্য নয়।

[11-50—11-55 a.m.]

Sj. K. P. Chattopadhyay: Mr. Chairman, Sir, as I said at the beginning today we received our papers only this morning and we have not had much time to go through them. As it is my habit to deal with facts and figures, I am placed at a disadvantage. I shall try to discuss a few items about which I want to say a few things. I shall take up the items "Civil Works and Miscellaneous Public Improvements", "Interest on Capital Outlay on Multipurpose River Schemes". There is also another item "Capital Outlay on Multipurpose River Schemes outside the Revenue Account".

Sir, on a previous occasion I pointed out that the people who had been put in charge of this work, the Damodar Valley Corporation, were none of them possessed of any knowledge of hydro-dynamics or hydro-electrics. It is like persons having no medical qualifications treating patients medically. Sir, in this matter which concerns the welfare of our community the men who have been put in charge are not acquainted with the particular thing which they are expected to carry out. This is also the view taken in spite of certain whitewashing remarks made later on in Parliament on the Estimates Committee as shown in the Fourth Report of the Estimates Committee, Government of India. It has been shown there that in four years about one-fourth of the work was only done. Also the quality of the work is very bad. Sir, whenever a dam is constructed or any such

work is done, a certain number of villages are taken over and the people are displaced. One single item will show the kind of competence these people have displayed. A large number of hutments were erected for the purpose of residence of these people who had been turned out of their homes. But the Government report admits that before the people who were displaced occupied these huts within a few months of their erection the huts fell down. We cannot have much faith in people who will build up dams and construct power houses for the welfare of the State but who do not know anything about their job. It seems in these circumstances that a good deal of the money is likely to be wasted. The arrangements are at present that although the work goes on nearabout the head-waters of the Damodar the people who are in charge stay in Calcutta. I have never heard of such a thing that people who are in charge will go about in Calcutta and the work will go on hundreds of miles away and they are expected to advise them. If you want any meeting of the Committees to be held you have got to give them a month's notice. They are scattered not only in Calcutta but in certain other places as well. This is not how business is to be carried on. Sir, I strongly object to our money being frittered away in this way. We have not got so much of it that we can indulge in the luxury of wasting money over people who do not know their job.

I shall now come to Civil Administration and Education. I will not say much about Police, as I have spoken on that subject in course of the budget discussion. Sir, with regard to Education, I would point out that about primary education there are certain bad rules which are there from the old days. Although the British Government has gone the rules that they had laid down in those days—the rules which are harmful—are still there. Certain rules were framed in 1940 laying down that one school should be started for two thousand children or over an area of three and one-third

[Sj. K. P. Chattopadhyay.]

square miles. This is definitely bad for areas like Malda or Jhargram subdivision of Midnapore or certain other places in Jalpaiguri where the population is very low.

[11-55—12-00 noon.]

Little children cannot walk long distances and it is necessary that we should have more schools. The rules should have been amended long ago and because the rules are not amended yet the result has been that primary schools instead of being increased in number are being closed down. Sir, this is no expansion of education. No thinking person can accept such a position. During the last 5 years that we have seen the Congress' rule in West Bengal there has been no progress in education. We have been told in reply to our criticisms that there are some paper schemes in operation but, Sir, paper schemes cannot educate our children nor can they improve their minds. The large Education Directorate has very little work to do. The District Committees, the Secondary Board and the University do all the work. It appears that in the absence of educational work the Directorate has been doing Police work. Sir, I take strong exception to the manner in which they are hunting people out of colleges for their past political life and in some cases they are issuing circulars to institutions that such persons should not be on the staff or on the governing bodies. I am aware that they have been doing this for many years past under British rule and the more the officers are old the more they are narrow and antinational in their outlook. It is difficult for them to change their views but Ministers who have come to power not under British rule but under transfer of power should certainly see that such things are not allowed to be done.

Sir, I shall now take up the question of "Civil Administration—Industries—Industries". I believe the Labour Minister is also responsible for the labour welfare as it

comes under this head. (Sj. KALIPADA MUKHERJEE: It is under 47—Miscellaneous".) I do not know why it has gone to "Miscellaneous".

Dr. Bidhan Chandra Roy: Big things are done under "Miscellaneous" head.

Sj. K. P. Chattopadhyay: Sir, it reminds me of a meeting where the members were at a loss to understand as to what was going to be considered as all the important items were passed under the head "Miscellaneous". However, Sir, we live to learn. Sir, whatever may be the heading I am mentioning about labour conditions here. Labour conditions in this country are not at all satisfactory. Somebody euphemistically describe the labour conditions as not unsatisfactory but they are wretched I should say. Ever since the development of industry in this country whether under British rule or now, the labour conditions have been horrible. The hours of work in the early days varied from 12 to 14 hours. We find in the Royal Commission on Industrial Labour that the labour conditions were unsatisfactory. The housing condition, food condition, etc., everything is even now far from satisfactory. The workmen in the factory do not get 2/5 or 3/5 of the food needed. These are admitted in the reports of the Royal Commission and Whitley Committee of 1930. But, Sir, the conditions have not changed much. There was a survey in 1941 by Prof. Mahalanobis and in 1945 I carried out a survey in collaboration with him. In 1949 I surveyed the condition with the help of the same technique and there was no question about the accuracy of the result.

[12-00—12-5 p.m.]

In 1945 we found that by the standards laid down by Dr. Akroyd, the food expert of the Government of India at that time, the labourers with their higher wages were getting food sufficient to the extent of 60 per cent. of their needs; in other words they were 2/5th starved. In 1949 wages had risen to a certain

extent but the prices had also risen so that the real wages had not much appreciated. The real wages had fallen between 1938 and 1945. Costs having increased to about 300 per cent. and wages by about 200 per cent., real wages had fallen to 2/3rd. In 1949 it was not 2/3rds of the earlier wage but slightly more. As a matter of fact I should say from the data collected they were 1/4th starved. Of course this is no improvement on the 2/5th starved. About housing we find that the per capita room that was available was something like 26 to 27 square feet in which each man could hardly get space to put his *charpoy* on. That is the position of labour. What have the Labour Department done to help the workers? I am aware that there is a machinery for conciliation. But from the records it appears that they are more anxious to help the owners than the workers. When prices go up the government side very rarely take the trouble to press for higher wages; that has to come from the workmen. The Labour Department is supremely indifferent. The other day we had a tribunal award for one of our industries, the Bengal Chemical and Pharmaceutical Works and that expired. In the changed conditions the workers wanted something more by way of bonus. Instead of trying to help the workmen what did the government department do? They extended the award for another year on the plea that this will promote industrial peace. Industrial peace is not got by forcing or trying to force this kind of decision down the throat of the people who can not get enough food, enough clothes, who cannot educate their children, who cannot get medical treatment for them and their families when they are ill and who do not have any leisure. These things, Sir, will not only affect labour but they will have tremendous repercussions on the villages. Even now although we have had industries since 1870 for three generations the bulk of industrial labour is drawn from our villages. Fifty per cent., according

to the survey carried out of the labourers still come from the agriculturists in the villages; only 25 per cent. have had parents who were also industrial workers. So the bulk of them come from the villages and if you make them live in such horrible conditions and amidst disease that will have repercussions on the villages. If you do not give them enough food, if you do not give their children enough food, the result will be that not only the labour in the towns but their families in the villages will be affected and the whole country will suffer and that will create a situation which no amount of policing will be able to control.

[12.5—12.10 p.m.]

That is the kind of thing that will happen if proper safeguards are not taken.

I shall now come to the grant under the smaller head "Fisheries". I find, Sir, that it is a small item and Rs. 7 lakhs are spent on fisheries. It was pointed out to the Hon'ble Minister in charge of Fisheries some years ago—he is the same gentleman who is still in charge of that Department that there cannot be expected any improvement in this industry unless due attention is paid to fishermen's rights. The position is not very different from that of land. Fishermen have practically little rights to fish in rivers and beels. Eastern Bengal having gone out, beels are not so important now, but regarding rivers the right of fishing is hedged down in so many ways and there are so many zamindaries which restrict the right of fishermen to catch fish in these waters, that the supply is never adequate. Unless fishery rights are enjoyed by these people and their profession is safeguarded, the fishermen will not be able to improve their conditions or to increase the supply of fish to this province which has already lost a good deal of its supply in Khulna and other areas. In the matter of distribution too we suggested certain improvements—I have got with me the file—and the Hon'ble Minister agreed to certain things being done.

[Sj. K. P. Chattopadhyay.]

We have pointed out—it was a conference which was attended by representatives of the North Calcutta Congress Committee, the South Calcutta Congress Committee, the Central Calcutta Congress Committee, my humble self and one or two others,—and we pointed out that the supply of fish is controlled by a ring of middlemen. Whatever fish comes is bought up by these people and they sell it at a much higher rate than what the fishermen actually charge for it. The fishermen get very little out of the exorbitant profits that are made. We calculated the tremendous amount of profit made by these middlemen. Unfortunately neither the Fisheries Department nor the Minister trouble themselves to take any action. We pointed out that the prices could be brought down by keeping out these middlemen and encouraging the sale of fish directly by the suppliers in the markets. We ourselves stood as volunteers to see that the fair price fixed for the distribution of the supplies was observed. I myself volunteered and also a large number of my friends who were attached to different Congress Committees and also to other political parties did this work.

Mr. Chairman: Will you try to be brief?

Sj. K. P. Chattopadhyay:

Sir, the discussion is about the total expense that will be incurred for the whole year. That is the reason why we have to be a bit elaborate. Neither this kind of public co-operation nor these facts and figures that were furnished have helped to improve the supply of fish or its distribution in Calcutta. I must say also, Sir, that the scheme for sea fishery and estuary fishery has not at all shown good results. There must be something wrong about it. In the absence of details, and in view of the very short time we have had in getting today's papers, I do not propose to say anything more except that much greater attention should be paid to the proper working of the

fisheries. If that is done, one of our difficulties with regard to what is an important article of food for all Bengalis will be solved.

[12-10—12-15 p.m.]

Sir, I come now to the last item on which I propose to speak, that is, about Community Development projects. I mentioned in connection with my budget speech that unless the land system is altered this scheme cannot succeed. The reason is very simple. You must have people who will have surpluses to purchase services as well as commodities. Sir, a survey carried out by me in collaboration with the Statistical Institute showed that in 1944 in most of the subdivisions which now come in the Districts of West Bengal barely seven per cent. of the people had holdings of five acres or more. If you make a calculation, you will find that unless a family has a holding of five acres it is neither economic nor does it leave any surplus. I need not give you the detailed figures but that is admittedly more or less what happens, so that people do not have enough crop to meet their requirements throughout the year. After a certain part of the year is out they have to borrow. Since they cannot get cash, what security can they offer except land which they are unwilling to mortgage. Throughout Bengal and in other parts of India the custom is that about this time in July or in August the poor cultivators who have less than three acres of land go to the richer peasantry and to the *mahajan*, who had bought up the crop immediately after harvest, and take grain on loan from them sometimes on *deri* basis, i.e., at the rate of 50 per cent., and sometimes on *duni* basis, i.e., at the rate of 100 per cent. Again at the end of the year a large amount of the crop goes to the *gola* of the *mahajan*, and the people find themselves in a difficult food position sooner than in the previous year. This goes on in arithmetical progression. If you try to start Community Development projects in the midst of such a population you will not be able to get the necessary surplus from these people. The only way is re-distribution of

the land—to alter your land laws,—so that people may not lose their land and may not become a share-cropper or labourer of the man who has purchased the land. To make such a scheme successful you should have proper men, men who can work in this line, men who have technical knowledge, men who are prepared to work hard. But, Sir, only a number of people who have done some administrative work are being appointed for these Community Development schemes.

Sir, they send a man now for training in America which is not the proper country to which he should be sent for training. In America the total number of power units consumed per capita is in the neighbourhood of three thousand. Prower units mean production and production of goods. As the per capita production in that country is three thousand units and the power unit of our country—an estimate was made some time ago—is two hundred, if you give training in methods which are applicable to a country which produced on a scale fifteen times more than our scale, it will be of no use. You should send men for training to a country where difficulties like those existing in our country have been in operation and which have been surmounted, otherwise they will learn nothing and the money thus spent will be wasted. We should not spend money in this fashion. It is not a small amount. It is 94 lakhs. For a poor State like ours you should not spend money like that for having men trained like this.

[12-15—12-20 p.m.]

Janab Abdul Halim:

মিস্টার চেম্বারমান, স্যার, আজ এই যে আমাদের সামনে এপ্রোপ্রিয়েশন বিল এসেছে সে সম্পর্কে আপনি প্রথমে রুলিং দিয়েছেন আমাদের এই হাউসের কোন ক্ষমতা নাই, এই বিল সম্পর্কে আমরা কিছু বলতে পারবো না এবং যদি বা কিছু বলি তাও গ্রাহ্য হবে না। যা হোক আমি বাজেট আলোচনার সময় বলছি যে, গভর্ণমেন্ট যেভাবে পুলিশ খাতে এবং অন্যান্য খাতে অর্থ বরাদ্দ কবেছেন, সেই সমস্ত খরচ কমিয়ে তারা যদি শিক্ষা, দর্ভিক্ষ ও অন্যান্য জনহিতকর খাতে সেগুলো ব্যয় করবার ব্যবস্থা করতেন, তা হলে দেশের কিছ উপকার করা হত। কিন্তু সেরকম কোন কিছু এই বিলে দেখতে পাচ্ছি না। আজ গভর্ণমেন্ট দেশের

যাবতীয় সমস্যার সমাধানকে এড়িয়ে চলেছেন, তারা দেশের কোন সমস্যারই সমাধান করতে চান না। কাজেই দেশের যে খাদ্যাভাব ঘটেছে, দেশের লোক যে অনাহারে অনশনে না খেয়ে মরছে, দর্ভিক্ষে—প্রায় বাংলাদেশের ৪৮ লক্ষ লোক আজ দর্ভিক্ষের কবলে পড়েছে—তার কোন সমাধান না করে কংগ্রেস গভর্ণমেন্ট তাকে এড়িয়ে চলেছেন। কাজেই আমি মনে করি এপ্রোপ্রিয়েশন বিলের বরাদ্দের প্রতি দেশের জনসাধারণের কোনই সমর্থন নাই, তারা এই বরাদ্দ মঞ্জুর করবে না। আমি আশা করেছিলাম গভর্ণমেন্ট সমস্ত সমস্যার সমাধান করবে। কিন্তু তারা যেভাবে চলেছেন, যেভাবে বাজেটে টাকা বরাদ্দ করে নিয়েছেন বা অপোজিশন যেভাবে সাজেশশান দিয়েছে, তা অগ্রাহ্য করে তাদের নীতি তারা চালিয়ে যাচ্ছেন, তাতে দেশের কোন উন্নতি হবে না বা কোন সমস্যারই সমাধান হবে না। আমরা বা আশা করেছিলাম সে সবই ধলিসাং হয়ে গেছে। খাদ্যসমস্যার সমাধানের জন্য কোন সাজেশশান দেওয়া হলো—যেমন বিদেশ থেকে ফুড আমদানি করা হোক, প্রকিওরমেন্ট করা হোক, দেশে সার্বসিডি দিয়ে রেশন বাড়ান হোক—কিন্তু গভর্ণমেন্ট বলেন টাকা কোথায় পাবো সব সময় ওজব দেখান টাকা নাই, টাকার অভাবে তারা কোন কিছু করতে পারেন না। যে টাকা তারা খবচের জন্য বরাদ্দ করেন, যা এপ্রোপ্রিয়েশন করা হয়ে থাকে, তাতে আমার মনে হয় তারা সে টাকা ঠিকভাবে ব্যয় করতে পারেন না বা করেন না।

আগেই বলছি ছয় কোটি টাকা পুলিশ বাজেটে খরচের জন্য ধরা হয়েছে; পুলিশ বাজেটের দেশে কোন স্থান নেই, যার জন্য পুলিশ খাতে এত টাকা খরচ করা উচিত। পুলিশ খাতের খরচ কমিয়ে অন্য খাতে খাবারের দরুন টাকা ব্যয় করতে গেলে অনাবরণ মন্ত্রী মহাশয় সৈদিকে দৃষ্টি দেন না। দেশে টাকার অভাবের কথা বলা হয় আমরা জানি দেশে বহু বিদেশী পুর্জি খাটছে, বিদেশী কল-কারখানার মালিকরা এদেশে বাবসা করছেন—এবং কোটি কোটি টাকা তারা এদেশ থেকে লুটে নিয়ে যাচ্ছেন। সেই টাকা আটকে আমাদের দেশের সমস্যার সমাধান করা যায়। কিন্তু গভর্ণমেন্ট সৈদিকে কোন কিছু করতে রাজী নয়। জনসাধারণ যখন খাদ্য দাবি করে, তারা বলেন, আমরা খাদ্য কোথা থেকে দেব? আর ওদিকে লোক না খেয়ে মরে যাচ্ছে। খাবার যখন পাওয়া যায়, তখন অন্য খাতে খরচ কমিয়ে সেই টাকা খরচ করে লোকের খাবার ব্যবস্থা করা যায়, তা কেন করা হয় না? প্রধানমন্ত্রী মহাশয় যতই বলতে থাকুন না কেন যে তিনি এদেশকে “ওয়েল-ফেয়ার স্টেট” করবেন, মধ্যবিত্তের স্বার্থের দেশ গড়ে তুলবেন, কিন্তু আসলে তারা কোন কিছু করতে চান না, জনসাধারণকে বাঁচাতে চান না, তারা জনসাধারণের দুঃখ কষ্টের সমাধান করবেন না। কেন না জমিদারীপ্রথা উচ্ছেদ করলে, চাষীদের মধ্যে জমি বন্টন হলে খাদ্যের সমাধান হতে পারে, উৎপাদন বাড়তে পারে। বিদেশী কলকারখানা বাজেয়াপ্ত করে সেই টাকা দিয়ে দেশের জনসাধারণের উন্নতি তারা করতে পারেন, তা তারা করছেন না। দেশের লোক না খেয়ে মরছে।

আগের স্পীচে, মাননীয় রাজ্যপালের অভিনবতার উপর বক্তৃতার সময় আমি বলছি ২৪-পরগনার অসংখ্য লোক না খেতে পেয়ে মরছে। আর মাননীয়

[Janab Abdul Halim.]

মন্ত্রী মহাশয়রা বলে থাকেন কোন লোক না খেয়ে মরে নি। তখন বলোহিলাম রিলিফের জন্য বেশি টাকা বরাদ্দ করা হোক। কিন্তু দেখছি সে রিলিফের টাকা সামান্য বাড়ান হয়েছে।

বেসমস্ত প্রজেক্টের কথা বলা হয়েছে—আমেরিকান স্পেন্সার কমিউনিটি প্রজেক্ট দ্বারা আমেরিকান ও বড় বড় মালিকরা এদেশে এসে নিজেদের স্বার্থে এখানকার রাস্তাঘাটের উন্নতি করবে মাত্র। কারণ যুদ্ধের সময় তাদের সেই-সব পথ ঘাটও কাজে লাগবে। আমরা তাদের সেই ফাঁদে গিয়ে পড়েছি। ইংল্যান্ডও আমেরিকার ফাঁদে নিজেই যেভাবে ডুবে গিয়েছে, আমাদের মন্ত্রীরাও ওয়েলফেয়ার স্টেট করতে গিয়ে সেইভাবে ডুবে যাবে। কাজেই দেশের জনসাধারণ তাদের বাজেটের এই এপ্রোপ্রিয়েশন বিল সমর্থন করবে না এবং এই গভর্ণমেন্টকে উৎখাত করে নতুন গণতান্ত্রিক গভর্ণমেন্ট স্থাপন করে এর সুরাহা করবে।

প্রমমন্ত্রী মহাশয় এখানে আছেন, আমি বহুদিন থেকে জার্মান এদেশে শ্রমিক আন্দোলন সুষ্ঠুভাবে পরিচালনা করতে দেওয়া হয় না। চটকলের শ্রমিকরা যেভাবে থাকে, মালিকরা যেভাবে শ্রমিকের উপর অত্যাচার করে, তার প্রতিকারের জন্য লেবার ডিপার্টমেন্ট কিছই করে না। সম্প্রতি খবর এসেছে হাবিমোহন রায় নামক শ্রমিককে আসানসোলে প্রিভেটিভ ডিটেনশন অ্যাক্টে আটক করা হয়েছে, ট্রেড ইউনিয়নের আইনসংগত কাজ কববার জন্য। যারা সাধারণ শ্রমিকদের অবস্থান উন্নতি করতে চান, তাদের আটকে রাখা হয় ডিটেনশন অ্যাক্টে।

(Sj. KALIPADA MOOKHERJEE :

তাকে প্রিভেটিভ ডিটেনশন অ্যাক্টে ধরা হয় নাই।) হাঁ, হাবিমোহন নয়, হারাদেন রায়কে ধরা হয়েছে।

তাই বীল গভর্ণমেন্ট এই যে বিল এনেছেন এটা অ্যাপ্রোপ্রিয়েশন বিল নয়, এটা হচ্ছে মিস-অ্যাপ্রোপ্রিয়েশন বিল। এটাকে আমরা সুপারিশ করতে পারি না, এদিক থেকে আমরা এ বিলকে বিবোধিতা করছি।

[12-20—12-25 p.m.]

Sj. Nirmal Chandra Bhattacharyya: Mr. Chairman, Sir, my friend Mr. Halim has characterised the Appropriation Bill as the Misappropriation Bill. I believe that this is the correct description of the measure that has been placed for consideration before this meeting this afternoon. Sir, I do not propose to repeat the arguments which we have advanced from this side of the House but there is one matter which it is my duty to place before you for your consideration. We strongly feel that the Budget and the Appropriation Bill that have been presented to us are a budget and an Appropriation Bill which seek to favour the richer sections of

the people. On a previous occasion I had occasion to say that the structure of taxation shows that only 10 to 12 per cent. of the revenue is paid by the richer sections of the people, whereas the major part of the taxes comes out of the pockets of the poorer sections. We are aware that big business is represented not only in the two Houses but also on the Cabinet and that is why big business will go off very lightly and perhaps it is for this reason, Sir, that a very reasonable proposal of ours was thrown aside by the Government.

[12-25—12-30 p.m.]

We suggested that for the purposes of the spread of education it is desirable to impose a tax upon industrialists and traders. Anybody who is connected directly or indirectly with land pays directly or indirectly something towards the education cess, but the traders and industrialists as such do not pay anything towards the education of the people. After Indian independence it is necessary that our political masters, the electorate should be properly educated, and it is, therefore, reasonable and fair that all sections of the people should bear the burden of educational tax. But a particular section, namely the industrialists and the traders, are going off very lightly.

Sir, there are so many aspects of the Appropriation Account which may be taken up for discussion. Today I will confine myself to the problem of education. Education opens up before us a very vast vista, but I would particularly discuss today the system of secondary education in our country. I do so because I believe that the system of secondary education occupies a pivotal position in the entire scheme of educational arrangements in any country, not to speak of West Bengal alone. The secondary education trains up pupils for the University, and this very system is responsible for giving adequate training to others who would play their part in industry after having received proper training as apprentices and as students in the industrial institutions of our country.

It is for this reason that I would like to devote my remarks to secondary education in particular. If we take up secondary education, we will find that the position is extremely deplorable. The scale of salary that the secondary school teachers get is very miserable indeed. A graduate teacher gets about Rs. 60 per month and an under-graduate about Rs. 50. The teachers have been agitating for the increment of their dearness allowance from Rs. 5 to Rs. 35. That has been turned down. It has to be noted here that the dearness allowance of Rs. 5 per teacher was granted by the League Government. The present Government has not taken any steps towards the improvement of the condition of the school teachers. Sir, there is another very disturbing feature which threatens the school teachers in the face and the entire system of secondary education in West Bengal. I refer to the Draft School Code that is being prepared by the Board of Secondary Education. The draft has been circulated to the All Bengal Teachers' Association. They waited in deputation on the President of the Board of Secondary Education and they were told that by the 18th of August the Code would be finally accepted by the Board with slight modifications. It is for this reason that I would like to take this opportunity to place before you certain matters which have been put into the Draft School Code. I do not hesitate to describe the Draft School Code as a pernicious measure. The Draft School Code contains certain measures which would materially impair the system of secondary education which has been built up mainly by non-official effort in the State of West Bengal. Sir, one of the proposals for controlling the opinions and ideas of students is that before they become members of any club they must receive the previous sanction of the Headmaster—that is to say, if a particular student happens to be enlisted as a member of a club or an association which is not approved by the Government, then the student will be dealt with.

Sir, regarding first admissions to Class VII and Class VIII, there is another very pernicious rule.

[12-30—12-35 p.m.]

It has been laid down in the Draft School Code that the students must obtain a certificate from a gazetted officer or from a principal or a professor or some member of a local corporate body. For admissions into classes IX and X previous permission of the Executive Council of the Board will be necessary. These are certain measures which are likely to destroy the present system of education altogether. It will deny the students the liberty of joining clubs or associations which are approved by their guardians. It will also prevent them from joining schools because it will be difficult for them to secure certificates as required by the School Code.

Regarding the composition of the School Board or the managing committee of the school, one of the provisions is that a certain number of persons will be elected by the guardians but guardians will have to pay a registration fee of Rs. 10 per year; and if their names are on the register for two consecutive years, then they will be entitled to vote in the matter of election of one or more guardians from their constituency to the managing committee of the school. This is a measure which, I am sure, will be opposed by all who are democratically-minded. Under the present School Code all guardians are entitled to vote. There is no question of registration or of payment of fees for registration. Then every school—all existing schools and other schools—will have to show a reserve fund of Rs. 2,500 within three years from the date on which the School Code comes into force, and every year they will have to deposit at least Rs. 250 in the reserve fund. This is a desirable measure but we have got to take into consideration the economic condition of the people and of the different schools. If this rule goes through many of the schools will have to close their doors.

[Sj. Nirmal Chandra Bhattacharyya.]

There is another rule regarding space to be allotted to each student which is likely to restrict the scope of education for the school-going people. There is a rule that every pupil must have 10 square feet of space in the school room and 8 square feet, it is provided, might also do if they could secure the previous permission of the Executive Council of the Board of Secondary Education. You know the conditions in Calcutta schools. I do not say that they are ideal conditions but they are working under tremendous difficulties and most of the schools do not have much of a reserve fund, do not have a house of their own and on account of these difficulties it would not be possible for most of the schools to provide the space that has been indicated in the Draft School Code. If this rule is accepted finally, then many of the schools will have to close their doors because they will not be able to earn the income necessary for paying the teaching staff and maintaining other necessities of school life. This is the situation. Writing in the thirties of the present century Sir Phillip Hertog, the President of the Committee that was appointed to enquire into the condition of education in India, remarked that in every province except Bengal public funds meet more than half the cost of education, in seven provinces more than two-thirds and in one province more than four-fifths.

[12-35—12-40 p.m.]

Sir, more than 20 years have elapsed but there has been no change in the situation. Today also we are spending only a negligible fraction of our total revenue for education. In 1946 the total allotment for education was Rs. 359 lakhs, for the Police Rs. 365 lakhs, the difference was only of Rs. 6 lakhs. But look at the Budget today, there is a difference of more than Rs. 3 crores. That is to say, the situation has not really improved during the last 20 or 25 years. Sir, it is necessary that we should spend more for education. Sir, instead of doing that, attempt

is being made to adopt certain measures which are calculated to take away the freedom of the teaching community and of the students also. It is well known that by repressive measures progressive ideas cannot be inhibited and I am sure that the rules that are being adopted today by the Board of Secondary Education—(At this stage the honourable member reached the time-limit but was allowed to finish his speech)—for imposing a particular political ideology upon the students will not stop progressive ideas. Hitler and Mussolini tried to inhibit progressive ideas but they failed and I have no doubt that that will be the fate of this Board also. Sir, the Chief Minister as well as we are aware of the infamous Risley circular and other orders issued by the Government of Sir Bamfylde Fuller in East Bengal. It is well known that although those measures were calculated to produce subservience to Government they failed completely and I have no doubt that our Government also will fail in a similar way. I shall not refer to higher education because my friend Professor Chakrabarty has dealt with that aspect of the matter. Sir, I am one of those who believe that education should be placed above party politics but I definitely see signs of the employment of education as a political instrument, as a party instrument. Certain progressive measures are sought to be stopped and smothered. That is not how a great nation's educational system should be planned. I believe it is time now that Government realise that education should be placed above party consideration. There is a tendency, Sir, that food also will be placed above party re-creation. If the same policy is adopted with regard to education, if progressive policy is accepted by all the parties with regard to the educational planning of West Bengal, then I have no doubt that we shall be making very rapid all round progress.

Sj. Prafulla Chandra Sen: Mr. Chairman, Sir, on a previous occasion when my honourable friend

Sj. Annada Prasad Choudhuri stated that cordons were lifted in certain areas during the elections I categorically mentioned that that was not so. This morning also he started by saying that cordons have been lifted particularly in certain areas. Then he took up an old copy of a gazette from which he read out and the learned members of this House heard him reading that corridors were abolished. Now, Sir, there is a good deal of distinction between cordons and corridors. Corridors are temporary arrangements and they are temporarily imposed and then removed from one place. Even at the present moment my friend would be glad to know that some corridors are being removed in Ghatal subdivision though cordons have never been abolished and the present system of procurement continues. I may tell the House that cordons will not be removed now but will be removed from the next year when the new system of Procurement by levy will be introduced.

[12-40—12-45 p.m.]

My friends Professor Nirmal Chandra Bhattacharyya and Professor Monindra Mohan Chakrabarty—

Sj. Annada Prasad Choudhuri: What was that exemption in that order?

Sj. Prafulla Chandra Sen: In practice free movement was allowed.

Sj. Annada Prasad Choudhuri: The corridors were removed at the time of elections.

Sj. Prafulla Chandra Sen: They were not removed due to the elections. They were removed—

Sj. Annada Prasad Choudhuri: Just on the eve of elections.

Sj. Prafulla Chandra Sen: That is your inference; that is a matter of opinion.

Sj. Annada Prasad Choudhuri: What was the reason, will you please explain?

Sj. Prafulla Chandra Sen: What is the reason that the corridors are being removed in Ghatal? They are some times imposed and some times removed just to suit the convenience of the public.

My friend Professor Monindra Mohan Chakrabarty read from a statement saying that we have consumed 10 lakh tons of wheat, if I remember aright. I may tell my honourable friend that under the basic plan this year we have been allocated only 6 lakh and 4 thousand tons of cereals. We were given only 32 thousand tons in rice. Now, however, we have been allotted 1 lakh tons of rice and so the balance, that is to say, 5 lakh 4 thousand tons, will be in wheat and, therefore, it is not possible that we have already consumed 10 lakh tons of wheat. So far as I remember he must have read from a statement in which it was mentioned what would be the total requirements of the country in wheat but that is not the quantity that we have actually consumed.

I would now refer to the speech of my honourable friend Mr. Halim. He said that there is famine in the country. I do not know what he means by stating that there is famine in the country. I have said more than once and I maintain and say, that, there is lack of purchasing power and there is scarcity in particular localised areas but that has nothing to do with his statement that there is famine.

Sj. K. P. Chattopadhyay: What is the difference between "famine" and "scarcity"?

Sj. Prafulla Chandra Sen: That is a matter of opinion again; we need not go into that. I may tell my honourable friend Mr. K. P. Chattopadhyay that at the present moment out of a total population of 2 crore and 50 lakhs, 72 lakhs of our population are on statutory rationing and 67 lakhs of people are under modified rationing. And again of these 67 lakhs of people 45 lakhs of people are

[Sj. Prafulla Chandra Sen.]

getting their rations, I mean modified rationing, at a subsidised rate of Rs. 15 per maund of atta and Rs. 15 per maund of rice. And again over 2 lakhs of people are getting their rations free of any cost. I may tell my friend Mr. Halim that we have up to date spent about Rs. 12 lakhs on gratuitous relief. We are providing them also with certain other occupations such as paddy husking on *dhenki* and grinding of wheat on *chaki*, road construction and such other works and therefore Government have taken all necessary measures to relieve distress—and as my friend Professor Chattopadhyay likes to mention “famine”—and the famine that he refers to.

[12-45—12-50 p.m.]

Mr. Chairman: There is one matter to which I would like to draw the attention of the honourable members. In the course of his speech Mr. Annada Prosad Choudhuri said that he could not find a copy of the “Calcutta Gazette” of the 26th July in the Library. The Secretary made enquiries in the office and has been informed that there was no issue of the gazette published bearing that date. There was one issue which was published on the 24th.

Dr. Bidhan Chandra Roy: Sir, I have no quarrel with my friends opposite when they say that there should be a proper distribution of money without any distinction and it should be spent for the benefit of the people. This is a principle with which, I take it, every one must agree. But when it comes to the application of the principle in actual life, there comes a certain difficulty. One friend says: “Oh, you want money, why not expropriate the property of those, particularly the foreigners?” Some people will say, “Why not take away the money from the Police or the Army and utilise it for Education?” There are certain things which cannot be done. You cannot possibly expropriate under a Constitution. It is not possible to take

the risk of lessening the protection which the Police give. It is true that every effort should be made to see that the Police officers realise that they are for the benefit of the people. It is also true that any reform of this character must take time. There are certain suggestions made by members who forget that there are restrictions which cannot be overcome. For example, my friend Prof. Bhattacharyya spoke at length about the School Code and the Secondary Education Board. We have created a statutory board with a fair amount of popular representation. My friend suggested the example of Ridgley; I suppose he is intelligent enough to understand the difference in the situation. If the School Code is bad, is it the responsibility of the Government? Should the Government interfere after it has become a statutory body? Then, with regard to the example quoted by my friend Sri Annada Prosad Choudhuri about the University report, I have repeatedly said that it is not possible for the Government to intervene in the matter. It is entirely a matter between the Vice-Chancellor and the University. It is true that we pay them, we pay under a statutory authority. But if I were on the Secondary Education Board, I would jolly soon see that no interference comes from the Government so far as the protection of the Statute is concerned, otherwise no organisation can run. It is true that so far as the primary education is concerned it is the duty of the State and the State is trying to help as best it can. Suggestions have been made for increasing the salary of the school teachers. I have made no secret of it, I have said that—I repeat it again—that I do feel that the lot of the primary school teachers should be improved and it should be the duty of the Government to see that their lot is improved.

[12-50—12-55 p.m.]

How to do it is a matter which has got to be considered. My friend Sriyut Mohitosh Rai Choudhuri gave certain suggestions. We are enquiring into them. It will

take time before any new taxes or new sources of revenue are discovered.

It has been said that education has been made a part of party politics. I do not know of any instances in which it has been so made. It may be the venue of local politics where one man or one group may try to gain ascendancy over another, but as a Government education is and must be above party politics. University education is, under the Universities Act, controlled by the University. Secondary education is controlled by a statutory body, the Secondary Board. What power has the Government to interfere in these matters except as regards the primary education?

One suggestion was made that there should be no distinction between Government and non-Government colleges. There is a great deal of disparity so far as salary, etc., are concerned—not only between Government and non-Government colleges but between two non-Government colleges. The fact remains that non-Government colleges work under a particular system which gives the governing body entire control and authority over the affairs of a particular institution.

One friend said that there was a case in which there was no provision for having a chemical balance in the laboratory of a particular college. Is that the fault of the Government? I do not understand what reference this has to the Appropriation Bill. How can the Government go to college and ask them to put in so many balances in their laboratory? It is the University which can determine the standard of equipments that are available in a particular college. The question therefore arises, should the Government not give help to the private colleges or the non-official colleges? The point is that Government has got certain responsibilities with regard to certain types of education.

Sj. K. P. Chattopadhyay: Sir, on a point of information.

Dr. Bidhan Chandra Roy: I do not want interruption.

Mr. Chairman: Let him proceed.

Dr. Bidhan Chandra Roy: With regard to the non-Government colleges the point is this that these colleges have got their own resources and a method of utilising those resources. In one case I know that a college had some fund which they kept apart as a reserve and yet asked the Government to pay subsidy to meet the current deficit. In another college another situation arose. If the colleges were prepared to say that Government have hold over their affairs, only then could the Government be responsible for giving money to these institutions in the way in which it is expected. We are giving 8 to 10 lakhs as help. That is a small amount. I do not like that Government should interfere with the authority of the colleges. What the Government does is to try to help the colleges as far as it is possible for them to do so, leaving the colleges to manage their own affairs. There are colleges which charge high fees from the students and yet they get good number of students. There are colleges which do not want to charge high fees in order to increase the number of students. These are matters of local importance. What can Government do if the colleges are in difficulty owing to mismanagement. I should not use that word. Government can give a little more grant but the whole responsibility remains with the colleges.

[12-55—1-00 p.m.]

There are again certain charges against Government why they have not taken any strong step with regard to the question of railway re-grouping, charges as to why strong steps have not been taken with regard to the boundary readjustment question, charges against allocation of income-tax and all that. I do not know what is meant by the word "strong". Sir, after all we have got to work within the Constitution. There are certain limits beyond which we cannot go. We go

as far as it is possible to go. We are not satisfied in every case. Sir, I said in the beginning and I end by saying that there is a difference of opinion as to how a particular thing is to be carried out. My friend Sj. Chakrabarty has said that our approach to the community project is bad. He says the Labour Department has not taken any step to increase the salary of the wage-earners. If Sj. Chattopadhyay had looked into the matter carefully he would have found that a labourer in 1939 in industry was getting Rs. 13 and now he is getting Rs. 63. However, Sir, that is neither here nor there. Sir, whatever is happening the Opposition is laying them at the door of the Government because you cannot look from their perspective. Sir, there may be difference of opinion but that must be honest difference of opinion. There may be a good scheme and there may be a bad scheme. There may be a good plan and there may be a bad plan. The criticism should be honest. If I am honest I should begin by thinking that every one is honest. If you think otherwise you lose your balance of judgment. It should be the duty of every one particularly in matters which concerns a large section of the people that the criticism should be honest.

The motion of Dr. Bidhan Chandra Roy that the West Bengal Appropriation (No. 2) Bill, 1952, as passed by the West Bengal Legislative Assembly and transmitted to the West Bengal Legislative Council for its recommendations be taken into consideration, was then put and agreed to.

Laying of the Appropriation Accounts for 1949-50 and Audit Report, 1951, and Finance Accounts for 1949-50 and Audit Report, 1950.

Dr. Bidhan Chandra Roy: Sir, I beg to lay before the Council the Appropriation Accounts for 1949-50 and Audit Report, 1951 and Finance Accounts for 1949-50 and Audit Report, 1950.

I beg also to lay the amendments of the Public Service Commission Regulations.

[1-00—1-3 p.m.]

Laying of Annual Report of the Public Service Commission, West Bengal, 1951, and Explanatory Memorandum.

Dr. Bidhan Chandra Roy: I beg to lay before the Council the Annual Report of the Public Service Commission, West Bengal, for 1951 and Explanatory Memorandum, under Article 323(2) of the Constitution of India.

Laying of the Budget Estimates for 1952-53 and Annual Report for 1950-51, of the Damodar Valley Corporation.

Dr. Bidhan Chandra Roy: I beg to lay before the Council—

(a) the Budget Estimates for 1952-53, and

(b) the Annual Report for 1950-51,

of the Damodar Valley Corporation.

Business for to-morrow (7th August 1952).

Mr. Chairman: Hon'ble members have received copies of Bills, namely, (1) The Calcutta and Suburban Police (Amendment) Bill, 1952, (2) The West Bengal Agricultural Income-tax (Notices) Bill, 1952, and (3) The West Bengal Evacuee Property (Amendment) Bill, 1952, which will be coming up for consideration by this House to-morrow. I would like to request the Hon'ble members to table amendments, if any, by 9 a.m. to-morrow. These, I understand, are formal Bills and I hope Hon'ble members will please accept such short notice. Notices of motions from Hon'ble Ministers have been received.

The List of Business for to-morrow will be only the three Bills I have referred above.

West Bengal Branch of the Commonwealth Parliamentary Association.

Mr. Chairman: There was a Bengal Branch of the Commonwealth Parliamentary Association since 1939 but after the partition of Bengal it did not function so long.

It has been proposed to revive the Association and I understand that a Resolution to that effect has been passed by the other House. I, therefore, propose that a Branch of the Commonwealth Parliamentary Association be formed in West Bengal and I hope the members will agree to the proposal.

Those members who desire to become members of the Association may contact the Secretary for detailed information.

Sj. Nirmal Chandra Bhattacharyya: Is it being moved from the Chair, Sir?

Mr. Chairman: Yes.

Sj. Nirmal Chandra Bhattacharyya: If it is moved from the Chair we have got to accept it and we shall have nothing to say.

Adjournment.

The Council was then adjourned at 1-3 p.m. till 9-30 a.m. on Thursday, the 7th August, 1952.

Members absent.

The following members were absent from the meeting held on the 6th August, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Banerjee, Sj. Sunil Kumar.
- (3) Bhattacharjee, Sj. Durga Kinkar.
- (4) Bose, Sj. Subodh Kumar.
- (5) Abdur Rashid, Janab Mirza.
- (6) Nahar, Sj. Bijoy Singh.
- (7) Roy, Sj. Surendra Kumar
- (8) Sarkar, Sj. Pranabeswar.
- (9) Sinha, Sj. Bimanbehari Lal.
- (10) Sinha, Sj. Kali Narayan.

COUNCIL DEBATES

Thursday, 7th August, 1952.

THE COUNCIL met in the Legislative Chamber of the Legislative Building, Calcutta, on Thursday, the 7th August, 1952, at 9-30 a.m. being the 16th day of the First Session of 1952, under the Constitution of India.

The Deputy Chairman (Dr. PROTAP CHANDRA GUHA ROY) was in the Chair.

[9-30—9-35 a.m.]

Questions

(to which oral answers were given)

Peoples' Co-operative Bank at Ghatal (Midnapore).

12. Sj. Annada Prasad Choudhuri: Will the Hon'ble Minister in charge of the Co-operation Department be pleased to state—

(a) how many instances of defalcation took place in the Peoples' Co-operative Bank at Ghatal in Midnapore district and what action has been taken in respect of them;

(b)(i) whether any case of defalcation was detected in connection with the sale of cloth and sugar, and

(ii) whether any such case was settled; and

(c)(i) whether in any other case the Departmental Auditors have submitted their reports pointing out serious irregularities during two successive years; or

(ii) whether any such case is under investigation now?

Minister-in-charge of the Co-operation Department (Dr. Rafiuddin Ahmed): (a) There were

two instances of defalcation one in 1932-33, the other in 1951. In the former case, Secretary committed suicide, other abettors were prosecuted and convicted; the other case is under police investigation on complaint lodged.

(b)(i) Shortage in sugar and cloth was detected and, on award, Rs. 405 was recovered out of claim for Rs. 450 for shortage in cloth and award on shortage of sugar is being examined.

(ii) Yes, as above.

(c)(i) Certain technical irregularities were pointed out in course of audit, and the Bank has been asked to rectify the irregularities.

(ii) No case on irregularity is under investigation. The case of defalcation as referred to in reply at (a) above only is under investigation.

Sj. Nirmal Chandra Bhattacharyya: Will the Hon'ble Minister please state the nature of the technical irregularities referred to in the reply under (c)(i)?

Dr. Rafiuddin Ahmed: As far as (c)(i) is concerned, our Auditors inspected the audit, and the irregularities are very minor, nothing of a grave nature relating to accounts.

Details of foodgrains for three years from 1948-49.

13. Sj. Annada Prasad Choudhuri: Will the Hon'ble Minister in charge of the Food Department be pleased to state the actuals for the following items of the Food Department for the last three years 1948-49, 1949-50, 1950-51—

(a) value of stock at the beginning of the year—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar;

[Sj. Annada Prosad Choudhuri.]

(b) purchase of stock during the year—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar;

(c) sale of stock during the year—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar;

(d) subsidy from India—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar;

(e) loss during the year—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar; and

(f) value of stock at the end of the year—Foodgrains other than wheat and wheat-products, wheat and wheat-products, sugar?

Minister-in-charge of the Food Department (Sj. Prafulla Chandra Sen): A statement is laid on the Table.

Statement referred to in reply to question No. 13

		1948-49.	1949-50.	1950-51.
		Rs.	Rs.	Rs.
A. Value of opening stock—				
Rice and paddy	..	3,31,35,259	6,13,68,088	6,92,39,652
Wheat and wheat-products		1,00,56,580	60,60,817	69,62,986
Sugar	..	..	..	14,80,000
B. Purchase of stock—				
Rice and paddy	..	28,94,36,054	27,32,37,026	24,20,60,132
Wheat and wheat-products		15,29,99,557	20,11,65,365	18,62,70,588
Sugar	..	..	2,21,17,633	6,13,41,847
C. Sale of stock—				
Rice and paddy	..	28,91,63,452	30,06,86,825	30,76,46,965
Wheat and wheat-products		14,90,81,242	20,89,08,006	{ 18,90,70,780 11,18,920
Sugar	..	..	2,16,23,311	6,34,57,871
D. Subsidy from India—				
Rice and paddy	..	1,74,06,371	74,80,573	20,83,042
Wheat and wheat-products		1,33,20,119	-42,11,529	54,38,301
Sugar	..	..	..	..
E. Value of loss (shortages) during the year—				
Rice and paddy	..	41,61,565	26,88,016	49,44,607
Wheat and wheat-products		13,12,481	16,78,097	7,72,650
Sugar	..	..	50,765	2,89,227
F. Value of closing stock—				
Rice and paddy	..	6,13,68,088	6,92,39,652	4,39,40,125
Wheat and wheat-products		60,60,817	69,62,986	51,01,910
Sugar	..	..	14,80,000	25,05,299

MESSAGES FROM THE ASSEMBLY.

Secretary to the Council (8). A. R. Mukherjee: Sir, the following messages have been received from the West Bengal Legislative Assembly, namely:—

(1)

"Message.

The Calcutta and Suburban Police (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 5th August, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly."

CALCUTTA:

The 6th August, 1952.

(2)

"Message.

The West Bengal Agricultural Income-Tax (Notices) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 5th August, 1952, has been duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly."

CALCUTTA:

The 6th August, 1952.

(3)

"Message.

The West Bengal Evacuee Property (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly at its meeting held on the 5th August, 1952, has been

duly signed by me and is annexed herewith. The concurrence of the West Bengal Legislative Council to the Bill is requested.

S. K. MUKHERJEE,

Speaker,

West Bengal Legislative Assembly."

CALCUTTA:

The 6th August, 1952.

Sir, I lay on the table the three Bills of which the messages have been read.

GOVERNMENT BILLS.

The West Bengal Agricultural Income-tax (Notices) Bill, 1952.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Agricultural Income-tax (Notices) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

For the information of the members of the Council I may be permitted to say a few words on this Bill. Sir, we in Bengal have got an Act called the Agricultural Income-tax Act, 1944, in which there are two provisions. One is section 24 and the other is section 38. Under section 24(1) a notification is issued in newspapers asking all prospective assessee to send in their return within a particular date, and the assessing authority has the power to extend the date in certain cases. Section 24(2) is a provision that in case the assessing authority feels that further notice is necessary he might send every individual assessee a notice for submitting a return within a particular date. In both these provisions sections 24(1) and 24(2), the language is such that it is said that the return should be for the year in which the land was to be assessed.

[9-35—9-40 a.m.]

Section 38(1) provides that the assessing authority might issue

[Dr. Bidhan Chandra Roy.]

notification to an assessee who has either escaped assessment or has sent a wrong assessment, and so on. In this section the provision is that the assessing authority might assess a property up till four years which is the limitation period given in such cases. But in the cases of section 24(1) and section 24(2) no mention is made as regards the period during which notification can be issued for a particular year. In 1946, 1947 and 1948, particularly in 1946 and 1947, there was public notice issued but no special notification was issued under section 24(2). In 1947 before partition the matter came up before the then Government and it was then decided according to the interpretation of the legal advisers of the Government that you should issue notice under section 24(2) and on the basis of that notice and the returns received from the assessee assessments have been made in many cases. In one case the matter went up to the High Court and the High Court gave a decision that the notice under section 24(2) must be given within the year for which the assessment has to be made, because in this section no limitation period was mentioned, otherwise notification should be under section 38(1). The result was that in respect of a large number of assesseees whose assessments had been completed according to section 24(2) notification and according to the returns received from the assesseees, these assessments became of doubtful validity. Secondly, in many cases even the limitation period of section 38 also was not operative. The alternative was for the Assessing Department to ignore the returns, ignore the notice, and make assessment. Instead of doing that we felt that a Bill may be brought in to the Assembly, which the Assembly has passed, to validate those particular years of assessment. Today after the High Court judgment whenever we exceed the period during which assessment is to be made we issue notification under section 38(1) but with

regard to the 1946 and 1947 periods it would not be possible for us to take advantage of section 38(1) because 1946 is six years before and 1947 five years before and even for 1948 up to April or May before the High Court decision was given, any notice issued before the date will not be valid.

Sir, this is a short Bill. It provides that—

“no notice purported to have been issued under sub-section (2) of section 24 of the said Act before the commencement of this Act which could have been validly issued under sub-section (1) of section 38 of the said Act, and

no assessment made before the commencement of this Act and no proceedings in assessment continued after such commencement, in pursuance of or consequent upon any notice referred to in clause (a) treating such notice as a notice under sub-section (2) of section 24 of the said Act,

shall be deemed to be or to have ever been invalid merely by reason of the fact that by such notice any person was required to furnish a return setting forth his total agricultural income during any period prior to the previous year.”

[9-40—9-45 a.m.]

With these words, Sir, I move my motion for the acceptance of the Council.

The motion of Dr. Bidhan Chandra Roy that the West Bengal Agricultural Income-tax (*Notices*) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy: Sir, I beg to move that the West Bengal Agricultural Income-tax (Notices) Bill, 1952, as settled in the Council, be passed.

The motion was then put and agreed to.

The West Bengal Evacuee Property (Amendment) Bill, 1952.

Sj. Pannalal Bose: Sir, I beg to move that the West Bengal Evacuee Property (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

Sir, a very short explanation is necessary in order to show the reason of the short amendment of section 5. The honourable members are aware that there was an Act called the Evacuee Property Act. According to that Act "evacuee" was a person who was resident of West Bengal and who because of the communal disturbances left West Bengal after the 15th day of August, 1947. When an evacuee left here he left certain lands apparently abandoned, not taken care of, and this Act gives the Collector power to take steps to protect and preserve his lands and one of the powers of the Collector under the Act is to eject anybody in wrongful possession of the lands.

[9-45—9-50 a.m.]

An evacuee on return may apply in writing to the Collector for the return of his land and the Collector has the power under the Act to eject any person in wrongful possession. If, however, in a given case the Collector finds it difficult or does not consider it feasible to eject the wrongful

occupier of the land the Act says that he should report the matter to the State Government and the State Government will report the matter to the Minority Commission. Now the Minority Commission was constituted by a certain notification and in that notification two names were given. These two persons constituted the Minority Commission in accordance with, as you are perhaps aware, the Prime Ministers' Agreement touching on the question. Now one of the gentlemen who constituted the Minority Commission is no longer available. Consequently what is necessary is that we should substitute for the words "constituted under notification No. 2276CR/CR-481/50, dated the 6th May, 1950, for advice" the words "refer the case for advice to the Minority Commission constituted for the time being by the State Government", that is to say, this amendment is being made retrospective, and, in future, when such a difficulty arises, the Collector will refer the matter to the State Government and the State Government will refer to the Minority Commission constituted by the Government under this clause. That is the whole object of this short amendment.

The motion of Sj. Pannalal Bose that the West Bengal Evacuee Property (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration was put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed.

Sj. Pannalal Bose: Sir, I beg to move that the West Bengal

[Sj. Pannalal Bose.]

Evacuee Property (Amendment) Bill, 1952, as settled in the Council, be passed.

The motion was put and agreed to.

The Calcutta and Suburban Police (Amendment) Bill, 1952.

Dr. Bidhan Chandra Roy: I beg to move that the Calcutta and Suburban Police (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration.

[9-50—9-55 a.m.]

Sir, this Bill is an amendment of the Police Act and it has got two particular provisions to which I desire to draw the attention of the members of this House. The first one is the question of giving the police some powers so far as the racketeers are concerned. Sir, it has been found on experience that round about a football match, particularly if it happens to be an important match, or in front of a cinema house two things go side by side. A large number of people go there in advance and buy several tickets and then try to sell these tickets at a much higher price, and the determination of the figure of the higher price often depends upon what betting they make with regard to the winners of the particular match. And often small bucket shops are started. Now, under the ordinary provisions of the Police Act the police have no power except to say that you are creating confusion and chaos and causing obstruction, and the racketeers could not be brought to book. Therefore, the first provision which has been made is that wherever there is an attempt made within a furlong of the site of the match or place by a person or by persons to sell the tickets at a much higher rate, the police can take action; also if there is a sort of betting. There was a question in the Assembly as to whether we should not omit the words "higher

rate". The reason why those words were put in was that it may be the case that a friend or two friends might have gone ahead and bought some tickets and then sold the tickets to their own friends at the same price at which they bought because the others could not come earlier, and in order not to allow the police to take action against such honest deal those words have been put in—the guilt will be when he sells it at a higher rate, not otherwise.

The second portion of the Act is with reference to the charges we make for permits, licenses and passes. As far back as 1866 the Act was passed and these provisions were made, and no changes have been made within the last eighty-five years. It was pointed out to us by our financial advisers that there was no reason why they should not be raised particularly because, even though in olden days the price of sweets or tea or any other food material or the rates at which the hotels charged their clientele were very moderate, even taking into account the present increased cost of these materials we felt that a little higher rate was justified. When the matter came up before the Assembly it was felt practically among all parties that while we can increase the taxation with regard to people earning a lot, we should not increase the taxation with regard to the poorer people who are just trying to make a living. This thing has become more acute since the question of finding a living for the refugees is there and if you try to tax them too much it may be difficult for them to pay.

[9-55—10-00 a.m.]

We found out from the Calcutta Corporation that a person who owns a tea shop or a sweet-meat shop, or a soda-water shop, or a restaurant is asked to pay two taxes by the Corporation, one a health tax and the other a trade tax. They have got a sliding scale. That is to say, those who pay rent up to Rs. 50 are charged

[Dr. Bidhan Chandra Roy.]

Rs. 5 per year as health licence; those who pay rent between Rs. 50 and Rs. 100 are charged Rs. 10. A proviso was introduced in the Assembly. We found, Sir, that the word "5" was really "Rs. 6 per year" because that is the schedule figure although by Executive Order the Calcutta Corporation fixed Rs. 5. A man who pays rent below Rs. 50 will not be asked to pay anything. At the present moment every shop-keeper, even if he has a very small, tiny shop and takes permit from the Police Commissioner has to pay Rs. 2 a year. We find that that fee should be abolished for the smaller dealers. That is why you find there is a proviso that no fee shall be payable in respect of a tea shop, aerated water shop or a sweet-meat shop if the keeper of such shop is required to take out a licence under section 218 of the Calcutta Municipal Act, 1951, the fee for which is less than Rs. 6 per year. If he pays Rs. 6 or Rs. 5 a year according to the Executive Order, then he has got a shop for which he is paying rent at Rs. 50 or less. If he is paying more than Rs. 6 or Rs. 5 according to the Executive Order, he is paying rent which is between Rs. 50 and Rs. 100. A man who can afford to pay more than Rs. 50 for a shop, we felt, should not be given exemption. The benefit is for the poorer class of such people who sell sweet-meat at a small shop, where they sell *mithai* or soda-water or tea. They will be exempted. At the present moment they have to pay Rs. 2 per year. That is with regard to the Calcutta Police Act. Similar provision has been made with regard to the Suburban Police Act.

There was another amendment in the Assembly and that was with regard to the seamen. At the present moment for every lodging-house for seamen the figure is Rs. 2 per year. We have put down Rs. 50 a year. It was pointed out to us and we accepted it that often these lodging-houses

of these poor seamen are utilised by middle people who do racketeering so far as seamen are concerned. I understand, and if I am wrong I hope somebody will correct me, that as soon as a seaman is discharged and before he can take another job he goes to these lodging-houses commonly known as *lathis* and very rightly described as such. These *lathiwallas* demand from the seamen as much as possible and practically rob them of everything. The seamen are absolutely helpless and whatever they get they have to satisfy these *lathiwallas*. I may inform the House that we are looking into the matter and we are trying, if we can, to provide these seamen with lodging-houses. We are going to build some structures for them so that the seamen will not have to pay to the *lathiwallas* such exorbitant rates. We are making investigation and as soon as it is over we shall do something in this direction. So long as that is not done, we are providing this rate so that the seamen may not be deprived of their money by the *lathiwallas*. Therefore we have accepted Charu Babu's amendment. I think that is all I need say at this stage.

[10—10.5 a.m.]

8j. Mohitosh Rai Choudhuri:

Sir, I whole-heartedly support the principle behind the Bill. I have got some amendments to move and I shall move them in time. I do not think I need inflict a speech on the House now.

The motion of Dr. Bidhan Chandra Roy that the Calcutta and Suburban Police (Amendment) Bill, 1952, as passed by the West Bengal Legislative Assembly, be taken into consideration, was then put and agreed to.

Clause 1.

The question that clause 1 do stand part of the Bill was then put and agreed to.

Clause 2.

8j. Charu Chandra Sanyal: I beg to move that in clause 2(b),

in the proposed section 62CC(1) of the Act, lines 13 to 16, the words beginning with "once issued for admission" and ending with "originally issued" be omitted.

I beg to move that in clause 2(e), in the proposed "Schedule of fees" under the heading "A. Fees for licenses" for the columns "Description of items" and "Fees" occurring above the proviso, the following columns be substituted, namely:—

"Description of items.	Fees. Per year.
	Rs.
For every tea shop, aerated water shop, cold drink shop, soda fountain	... 10
For every coffee house, boarding- house, eating-house or sweet-meat shop	... 20
For every hotel run in western style	... 30
For every lodging- house for pilgrims at Kalighat	... 10
For every lodging- house for seamen provided they are not deserters	... 5
In every other case	... 2."

I beg to move that in clause 2(e), in the proposed "Schedule of fees", under the heading "C. Fees for passes" for the figure "5" under the column "Fees" the figure "2" be substituted.

If you prohibit the selling of tickets at a higher price for administrative purposes it will lead to complications because even if the man is arrested it will be extremely difficult to prove that he sold it at a higher price. Of course if selling is at all prohibited the object is attained. It is only to simplify matters that I have proposed these 3 lines, lines 13 to 16. So much for clause 2(b).

Now coming to my amendment to clause 2(a), for every tea shop, aerated water shop, cold drink shop, soda fountain it is put at Rs. 10 per year in the Bill. I only want to omit the taxation on "music" because, Sir, already in the name of making amendments to the Police Act fresh taxation has been proposed and I think Rs. 10 per year is quite enough and the additional Re. one per day should not be imposed on the little bit of music that is played to attract the customers.

[10.5—10.10 a.m.]

Because the Police have ample power to stop any music if it causes disturbance to the people or becomes prejudicial to the peace of the public. About tea shops, tea is passing through a great crisis especially in the export market. Unless internal trade is developed the industry would suffer. A little bit of music in the form of advertisement before a tea shop, I think, should be allowed free of tax. And then come the aerated water shops. Aerated water is simply a drink and a little bit of music played before such shops should not be taxed, and even if there is taxation this small taxation is practically levied on the consumer. The tax of Re. 1 in actual practice will mean Rs. 4 because generally it happens our consumers have to pay tax four-fold in other ways, that is the price of the commodities will go up and the common people will be taxed. So, Sir, I propose that the original Rs. 10 per year should remain and taxation on a little bit of music in the form of advertisement should not be retained.

Dr. Bidhan Chandra Roy: I think Rs. 10 remains?

SJ. Charu Chandra Sanyal: Yes, it may remain, but the extra taxation on the music should not remain. Even if one keeps a radio he is liable to taxation even though he is paying license fee for the radio. Secondly, in the days of Halkhata or Saraswati Puja, etc., music is generally played in the

[Sj. Charu Chandra Sanyal.]

shops. This comes under this tax. So, Sir, I think this portion should be omitted and the little bit of music before small shops should not be taxed.

Dr. Bidhan Chandra Roy: Regarding the proposal of Dr. Sanyal I find he has said in one of his amendments "for every hotel run in western style—Rs. 30 per year". I have not understood him at all.

Sj. Charu Chandra Sanyal: I have not talked of clause 3. I talked of clause 2 only.

Dr. Bidhan Chandra Roy: I mean clause 2 where you have said "for every hotel run in western style Rs. 30 per year". Rupees 20 has already been provided and you want to provide Rs. 30 which is out of order. I have not understood Mr. Sanyal. He says that he does not think that they should be made to pay more on account of music because it would affect the consumers, but he has actually gone much beyond what is provided in the Bill itself. Now we want certain classes of people should be absolutely exempted, particularly the small tea shops and small soda-water people. Everyone of us knows these small shopkeepers. Dr. Sanyal has made no distinction as between one tea shop and another.

Sj. Charu Chandra Sanyal: The proviso is there. I have not omitted it.

Dr. Bidhan Chandra Roy: I know that. Then regarding the question of music, he says, you need not tax because the police have got ample power. I say the police have power if it is on the roadside. But supposing there is a tea shop which has got a small yard or the tea shop is inside a lane the police cannot enter the premises unless there is absolute violence or something very unnatural. It is not a question of police having power. The question is, when a person has got a tea shop or a restaurant where he plays music which attracts a larger number of people and he gets a better deal, why should not he pay extra?

[10-10—10-15 a.m.]

That is the reason why the word music" has been put in both in the case of hotels as well as in the case of tea shops.

With regard to the other item, Dr. Sanyal has suggested that Rs. 5 should be Rs. 2. I do not know whether he has read the Act. This is for elephants and camels going along the streets of Calcutta. At the present moment we have no such animals going along the streets with circus parties. If, however, the circus parties choose to bring such animals they might be asked to pay.

With regard to the first amendment of my friend Dr. Sanyal, if it is accepted it would read like this "For the purpose of preventing disorder or disturbance at or near any place where any entertainment is held, the Commissioner of Police may, with the previous sanction of the State Government, by order (of which public notice shall be given), prohibit within a radius of one furlong from the place of entertainment, the sale or the offer for sale of tickets." That means that at the gate where entertainment is going on or at any place within a radius of one furlong nobody will be able to sell tickets. If it is sale of tickets in the ordinary way there is no chance of disorder. I do not know whether Dr. Sanyal knows what is happening in football matches or cinemas—what amount of racketeering is going on there. Very often there is fight over sale of tickets at a higher rate and the police can do nothing unless they are armed with power. The whole purpose of the section will go if you take away the part as suggested by Dr. Sanyal.

Sir, I oppose all amendments.

The motion of Sj. Charu Chandra Sanyal that in clause 2(b), in the proposed section 62CC(1) of the Act, lines 13 to 16, the words beginning with "once issued for admission" and ending with "originally issued" be omitted, was then put and lost.

The motion of Sj. Charu Chandra Sanyal that in clause 2(e), in the proposed "Schedule of fees" under the heading "A. Fees for licenses" for the columns "Description of items" and "Fees" occurring above the proviso, the following columns be substituted, namely:—

"Description of items.	Fees. Per year. Rs.
For every tea shop, aerated water shop, cold drink shop, soda fountain	... 10
For every coffee- house, boarding- house, eating-house or sweet-meat shop	... 20
For every hotel run in western style	... 30
For every lodging- house for pilgrims at Kalighat	.. 10
For every lodging- house for seamen provided they are not deserters	... 5
In every other case	... 2 "

was then put and lost.

The motion of Sj. Charu Chandra Sanyal that in clause 2(c), in the proposed "Schedule of fees", under the heading "C. Fees for passes" for the figure "5" under the column "Fees" the figure "2" be substituted, was then put and lost.

The question that clause 2 do stand part of the Bill was then put and agreed to.

Clause 3.

Sj. Charu Chandra Sanyal:
Sir, I beg to move that in clause 3(b), in the proposed section 39C(1) of the Act, lines 10 to 13, the words beginning with "once issued for admission" and ending with "originally issued" be omitted.

I also beg to move that in clause 3(c), in the proposed "Schedule of fees", under the heading "A. Fees for licenses" for the columns "Description of items" and "Fees"

occurring above the Proviso, the following columns be substituted, namely:—

"Description of items.	Fees. Per year. Rs.
For every tea shop, aerated water shop, cold drink shop, soda fountain	... 10
For every coffee- house, boarding- house, eating-house or sweet-meat shop	... 20
For every hotel run in western style	... 30
For every lodging- house for pilgrims at Kalighat	... 10
For every lodging- house for seamen provided they are not deserters	... 5
In every other case	.. 2 "

I further beg to move that in clause 3(c), in the proposed "Schedule of fees", under the heading "C. Fees for passes" for the figure "5" under the column "Fees" the figure "2" be substituted.

[10-15—10-20 a.m.]

Sir, the reason is practically the same. Sir, if a little bit of music attracts more customers there should not be more fees. It is well-known that though many people collect but very few people purchase actually. That is the difficulty. But for this music the shop-keeper has to pay Rs. 30 extra per month and in another case Rs. 5 per month. This is indeed a heavy burden of taxation. In mofussil and in suburban areas the people have a very low purchasing power. So the sale may not be much but he will have to pay extra fees for the music. On the other hand the fees in the mofussil should be as cheap as possible. After all

[Sj. Charu Chandra Sanyal.]

they are ordinary people and keep a few soda bottles, etc. This small bit of taxation will accumulate gradually and become heavy burden on the common people. In the end this sort of taxation will fall on the consumers who have to pay a heavy tax already. This tax will not be conducive to the people or to the shop-keepers as it will reflect on the consumers. Sir, music has a great part to play in our national life and a nation bereft of music cannot stand. (Sj. Narendra Nath Bagchi: If the music is overdone it is a nuisance.) If it is overdone you can stop that in other ways but music through radio or a violin or an orchestra should not be taxed in this way. If there is music in every household our national life would be happier. So there should be light music in tea houses, coffee houses, etc., and we should not be deprived of this small music.

[10-20—10-25 a.m.]

Had there been a description of "music" that up to so far it will not be taxed and beyond that it will be taxed I could have understood it. Radio music or violin music should not be taxed but in the Bill all sorts of music have been included and all have been meted out the same punishment. I again request the mover of the Bill to think over the portion relating to taxation on "music" and I hope the House will agree with me in what I have suggested relating to taxation on music.

Dr. Bidhan Chandra Roy:

Sir, my friend is suffering from a dual complex. On the one hand he says that "if you do not like the type of music stop it". On the other hand he says "Don't stop it in certain cases because if music is played it is entertaining to the customers and it will add to the income of the owner of the music". I think he should pay tax. The second point that he has raised is about the poor district areas where, he says, such a tax would

affect them most. Sir, this Bill is The Calcutta and Suburban Police (Amendment) Bill, 1952, and it has nothing to do with the districts including his own district of Jalpaiguri where he can do exactly as he likes. He says "don't increase the burden of taxation" but he wants more embankments for his district of Jalpaiguri, more money for food for Jalpaiguri, more beds in Jalpaiguri Municipal Hospital and better roads. If such things are to be provided how is the Government going to find the money. Dr. Sanyal wants to reduce the incidence of taxation from 21 to 19 but he wants to increase the salary of all the staff. That Alladin's Lamp we do not possess. I hope Dr. Sanyal when he is a little more experienced he will possess that lamp and give the advantage of such a lamp to us. It is a very peculiar thing that those who want the amenities most are most anxious to avoid paying for them. Whether you pay it independently or collectively is not the point. Do you want more amenities? Then you should pay. If you do not want more amenities you may remain where you are. Therefore, Sir, I do not think that to pay Rs. 10 a year and also an additional fee of Re. 1 per day for the music etc., (vide item No. 1 of the Schedule) would be such a burden according to Dr. Sanyal as would break the back of the person who is to pay it. Therefore I oppose all the amendments.

The motion of Sj. Charu Chandra Sanyal that in clause 3(b), in the proposed section 39CC(7) of the Act, lines 10 to 13, the words beginning with "once issued for admission" and ending with "originally issued" be omitted, was then put and lost.

The motion of Sj. Charu Chandra Sanyal that in clause 3(e), in the proposed "Schedule of fees", under the heading "A. Fees for licenses" for the columns "Description of items" and "Fees"

occurring above the Proviso, the following columns be substituted, namely :—

“Description of items.	Fees. Per year. Rs.
For every tea shop, aerated water shop, cold drink shop, soda fountain	... 10
For every coffee- house, boarding- house, eating-house or sweet-meat shop	... 20
For every hotel run in western style	... 30
For every lodging- house for pilgrims at Kalighat	... 10
For every lodging- house for seamen provided they are not deserters	... 5
In every other case	... 2 ”

was then put and lost.

The motion of Sj. Charu Chandra Sanyal that in clause 3(e), in the proposed “Schedule of fees”, under the heading “C. Fees for passes” for the figure “5” under the column “Fees” the figure “2” be substituted, was then put and lost.

[10-25—10-30 a.m.]

The question that Clause 3 do stand part of the Bill was then put and agreed to.

Preamble.

The question that the Preamble do stand part of the Bill was then put and agreed to.

Dr. Bidhan Chandra Roy: I beg to move that the Calcutta and Suburban Police (Amendment) Bill, 1952, as settled in the Council, be passed.

The motion was put and agreed to

Point of Order.

Sj. Annada Prosad Choudhuri:

On a point of order, Sir,—

আমাদের সংবিধানের ৩২০ ধারায় আছে—এই যে পাবলিক সার্ভিস কমিশনের যে রিপোর্ট দেওয়া হয়েছে এবং তার যে রেগুলেশন তাতে আছে ৩২০ ধারার ৫ উপ-ধারায়—

“All regulations made under the proviso to clause (3) by the President or the Governor or Rajpramukh of a State shall be laid for not less than fourteen days before each House of Parliament or the House or each House of the Legislature of the State, as the case may be, as soon as possible after they are made, and shall be subject to such modifications, whether by way of repeal or amendment, as both Houses of Parliament or the House or both Houses of the Legislature of the State may make during the session in which they are so laid.”

কাল আমাদের কাছে এটা উপস্থিত করা হয়েছে। এই অধিবেশন কতদিন চলবে আমি জানি না। এই বিষয় আমরা এই অধিবেশনে আলোচনা করতে পারবো কি পারবো না—সেটা আপনার কাছে জানতে চাই।

[10-30—10-35 a.m.]

Mr. Deputy Chairman: This will not be placed before the Council this session. You will have time to discuss it in the next session.

Point of personal explanation.

Sj. Annada Prosad Choudhuri:

On a point of personal explanation, Sir.

কালকে আমি বক্তৃতার সময় বলেছিলাম যে ২৬শে জুলাইয়ের “ক্যালকাটা গেজেট”-টা লাইব্রেরীতে খুঁজে পাওয়া যায় নি। আমারই ভুল হয়েছে সেটা হবে ২৪শে জুলাইয়ের গেজেট—যা আমি চেয়েছিলাম—সেটা পেয়েছি। এবিষয়ে খোঁজ নিয়ে সেক্রেটারী মহাশয় সঙ্গে সঙ্গে জানিয়েছেন তার জন্য আমি তাঁকে ধন্যবাদ জানাচ্ছি।

কালকে আমি এ প্রসঙ্গে একটি কথা বলেছিলাম, বোধ হয় ঠিকমত বোঝাতে পারি নি বলে প্রধানমন্ত্রী মহাশয় আপত্তি করেছিলেন এবং বোধ হয় অসন্তুষ্ট হয়েছিলেন। আমি বলতে চেয়েছিলাম গত বৎসর পাবলিক সার্ভিস কমিশনের দুটো রিপোর্ট আমাদের কাছে উপস্থিত করা হয়েছিল। সেই রিপোর্টের আলোচনার সময় ২রা এপ্রিল ১৯৫১ সাল কথা গুঠে। তাতে বলেছিলাম, “তাই আপনার কাছে নিবেদন আমরা কোন রিপোর্ট পেতে পারি বা পাবার অধিকারী? যে রিপোর্ট পূর্বে পাবলিক সার্ভিস কমিশন গভর্ণরের কাছে পাঠিয়েছিলেন সেটা না পরের পাবলিক সার্ভিস কমিশন এসে যে “রিভাইজড” রিপোর্ট ফাইনাল ডিপার্টমেন্ট-এর সেক্রেটারীর কাছে

[Sj. Annada Prosad Choudhuri.]

পাঠিয়েছেন, সেটা? এই দৃষ্টো কথা যখন বলি তখন প্রধানমন্ত্রী মহাশয় বা বলেছিলেন সেটা প্রসিডিংসে লেখা আছে—

“My friend Mr. Annada Choudhuri is more fortunate than most of us. We have not seen the other report but he has got a copy of the other report. This is the privilege of being an editor or being connected with newspapers.”

এই আলোচনা প্রসঙ্গে উনি বলেছেন এই কথা।

Dr. Bidhan Chandra Roy: This is a reference to former proceedings in the Assembly.

Sj. Annada Prosad Choudhuri:

তার একই উক্তি—তিনি ভুলে গেছেন কি না জানি না। তাতে চার, ভাঙারী মহাশয় যে রুলিং চেয়েছিলেন, তখন তদানীন্তন স্পীকার বলেছিলেন—

“Therefore if the Chief Minister wants to read out passages from this report, then according to the conventions he has got to place a copy of the report before the House before he can proceed further.”

Mr. Deputy Chairman: You are referring to what took place in the other House which is not acceptable here. It should not be discussed here. You can personally settle it with the Chief Minister. It has been done in the other House and not here. If you like to explain the position, you may approach the Chief Minister.

Sj. Annada Prosad Choudhuri: I don't want to discuss it.

আমি কালকে এই কথা বলেছিলাম, তাতে উনি আপত্তি করেছিলেন। বোধ হয় কাল ঠিকমত বোঝাতে পারি নাই, প্রকৃত যে ঘটনা ঘটেছিল, তা এখন জানিয়ে দিচ্ছি।

Dr. Bidhan Chandra Roy:

আমি তো কালকে কিছ্ বলি নাই; সেরকম তো মনে পড়ছে না।

Point of Privilege.

Sj. Nirmal Chandra Bhattacharyya: Sir, on a point of privilege. About three weeks ago I gave notice of a question. That question has not yet been answered.

Mr. Deputy Chairman: You will get a reply.

Sj. K. P. Chattopadhyay: Sir, I gave notice of a question about primary education on the first day that the Council met. I think the

House should know when the reply should be forthcoming.

Mr. Deputy Chairman: The Hon'ble Minister concerned has taken note of it.

Dr. Bidhan Chandra Roy: There are two aspects of such questions. One is that the question usually is answered in the Assembly or the Council as the case may be. Otherwise, if there is delay, it is carried on to the next session. In the meantime if any member wants an answer to the questions, the answers are being got ready and, if the Chair permits, I can send a copy of these answers to individual questioners in the meantime so that when the question is formally put in the next meeting, it can be taken up. This is only for information of members.

[10-35—10-40 a.m.]

Sj. Debendranath Mukherjee: I also have a similar grievance. My question was allowed several weeks ago but I have not got the answer, but I shall be obliged, as the Chief Minister has said, if the Minister concerned sends the answer to me.

Dr. Bidhan Chandra Roy: It will be unofficial but still you may get it.

Sj. Annada Prosad Choudhuri:

এই বিষয়ে আমার একটা নিবেদন আছে। আগে অন্যান্য সময়ে দেখা গিয়েছে কোয়েস্টেন করবার সময় যারা কোয়েস্টেন করেন, তারা যদি অনুপস্থিত থাকেন, তাহলে স্যাম্পলমেণ্টারি কোয়েস্টেনের সুযোগ দেবার জন্য কোয়েস্টেন হেল্ড-ওভার করে রাখা হয়েছে। এ বিষয়ে আপনার দৃষ্টি আকর্ষণ করতে চাই যে যদি প্রশ্নকর্তা উপস্থিত না থাকেন, তার সেই কোয়েস্টেন যাতে হেল্ড-ওভার করে রাখা হয়, তার ব্যবস্থা করলে ভাল হয়।

Mr. Deputy Chairman: If you are not able to come in time, the Chairman may be requested to hold over your question.

Sj. Annada Prosad Choudhuri:

পূর্বে আমরা কি করে জানতে পারবো—কবে কোন প্রশ্ন আসবে? আজ যখন এলাম দোরের কাছে কাগজটা দেওয়া হলো। ইঠাৎ অসুস্থ হয়ে আসতে না পারলে কি করে চেয়ারম্যানকে জানাবো?

Mr. Deputy Chairman: It is generally expected that members will come every day.

Sj. Annada Prosad Choudhuri:

আমরা যদি আগে তা জানাতে পারি "দেন ইট উইল বি হেল্ড-ওভার"। কিন্তু আমাদের জানবারই যে স্কোপ নাই। আপনি যদি অনুগ্রহ করে সে সুযোগ দেন—

Mr. Deputy Chairman: I shall request the Chairman to discuss this matter and do the needful.

Sj. Mohitosh Rai Choudhuri:

বেশীর ভাগ সময়ই দেখছি কংগ্রেসের মোটেই আগে পাই না। এখানে এসে তড়াতাড়িতে কিছু বক্তৃতা পারি না।

Dr. Bidhan Chandra Roy:

মহাত্মা বাবুকে বলতে পারি খুবই প্রেসারের মধ্যে আমাদের কাজ করতে হচ্ছে। সে সম্বন্ধে কিছু ব্যবস্থা করতে গেলেই তো বলবেন "কন্সটিউশনাল মিনিষ্ট্রেশন" বেড়ে গেল। এখানে একটা সেক্রেটারী সকাল নটার সময় এসেছেন, আবার তিনটা থেকে সন্ধ্যা আটটা-নটা অবধি কাজ করতে হয়। আমার মনে হয় আমাদের যে একটা লেবার ডিপার্টমেন্ট রয়েছে, আর "প্রফেসর চট্টোপাধ্যায় ইজ এবোয়েন্টেড উইথ লেবার লজ", কাজেই তাকে যদি তারা বলেন যে "নো বাড শর্ড বি এলাউড টু ওয়াক মোর দ্যান এইট আওগাস"—এই যদি করা হয়, তাহলে আমাদের পক্ষেও সুবিধা হয়, সেক্রেটারীরও সুবিধা হয়। আপনারা একটু ভেবে দেখুন, "লেট ইট বি স্ট্যাবলাইজড"—এই পরিস্থিতিতে এই রকম থাকা উচিত কিংবা আর একটা সেক্রেটারিয়েট করে সকাল-বেলা মিটিং না করে বিকেল বেলা মিটিং করা যায় কিনা, এই কথা ভাবছি। নতুন এসেছেন, এখন সব যে ফাট ক্লাস পাবেন, তা হতে পারে না।

Matters of procedure regarding interpretation of Articles 198 and 204 and regarding a resolution moved from the Chair.

Sj. Nirmal Chandra Bhattacharyya: Sir, there are two matters of procedure that I would like to raise with your kind permission. Yesterday on the floor of the House there was a discussion regarding the interpretation of Articles 198 and 204. The Chairman in course of his ruling said that the two Articles were not free from lacuna. In order to clarify the position I suggest that the interpretation of these two Articles be referred to the Advocate-General for his opinion.

Dr. Bidhan Chandra Roy: It would be better if Professor Bhattacharyya were to say that these two Articles may be sent from the Secretariat to the Centre. There is the Law Department there and they

know what the Constitution is and moreover it affects not only this State but other States as well.

Sj. Nirmal Chandra Bhattacharyya: Sir, I agree with the helpful suggestion made by the Chief Minister.

There is another matter. Yesterday, the Chairman moved a resolution from the Chair. I am not questioning that resolution at all but with regard to a question of procedure I have certain doubts. This matter also should be referred to the appropriate legal officer.

Mr. Deputy Chairman: You can see the Chairman and discuss the matter with him and do the needful.

Sj. Nirmal Chandra Bhattacharyya: Sir, our difficulty is that if a motion is put from the Chair we are debarred from discussing it. That is the difficulty. Ordinarily such motions are not put from the Chair. I am anxious about this particular point. It should not be regarded as a precedent.

Mr. Deputy Chairman: Please discuss the matter with the Chairman.

Prorogation.

Mr. Deputy Chairman: I have it in command from the Governor that the West Bengal Legislative Council do now stand prorogued.

(Prorogued at 10-40 a.m.)

Members absent.

The following members were absent from the meeting held on 7th August, 1952:—

- (1) Banerjee, Sj. Sankar Das.
- (2) Bhattacharjee, Sj. Durga Kinkar.
- (3) Bose, Sj. Subodh Kumar.
- (4) Chatterjee, Sj. Devaprasad.
- (5) Abdur Rashid, Janab Mirza.
- (6) Mahanty, Sj. Charu Chandra.
- (7) Nahar, Sj. Bijoy Singh.
- (8) Roy, Sj. Surendra Kumar.
- (9) Sarkar, Sj. Pranabeswar.

PRINTED BY
AJIT KUMAR GUHA,
SUPERINTENDENT, GOVERNMENT PRINTING,
WEST BENGAL GOVERNMENT PRESS, ALIPORE, WEST BENGAL.

